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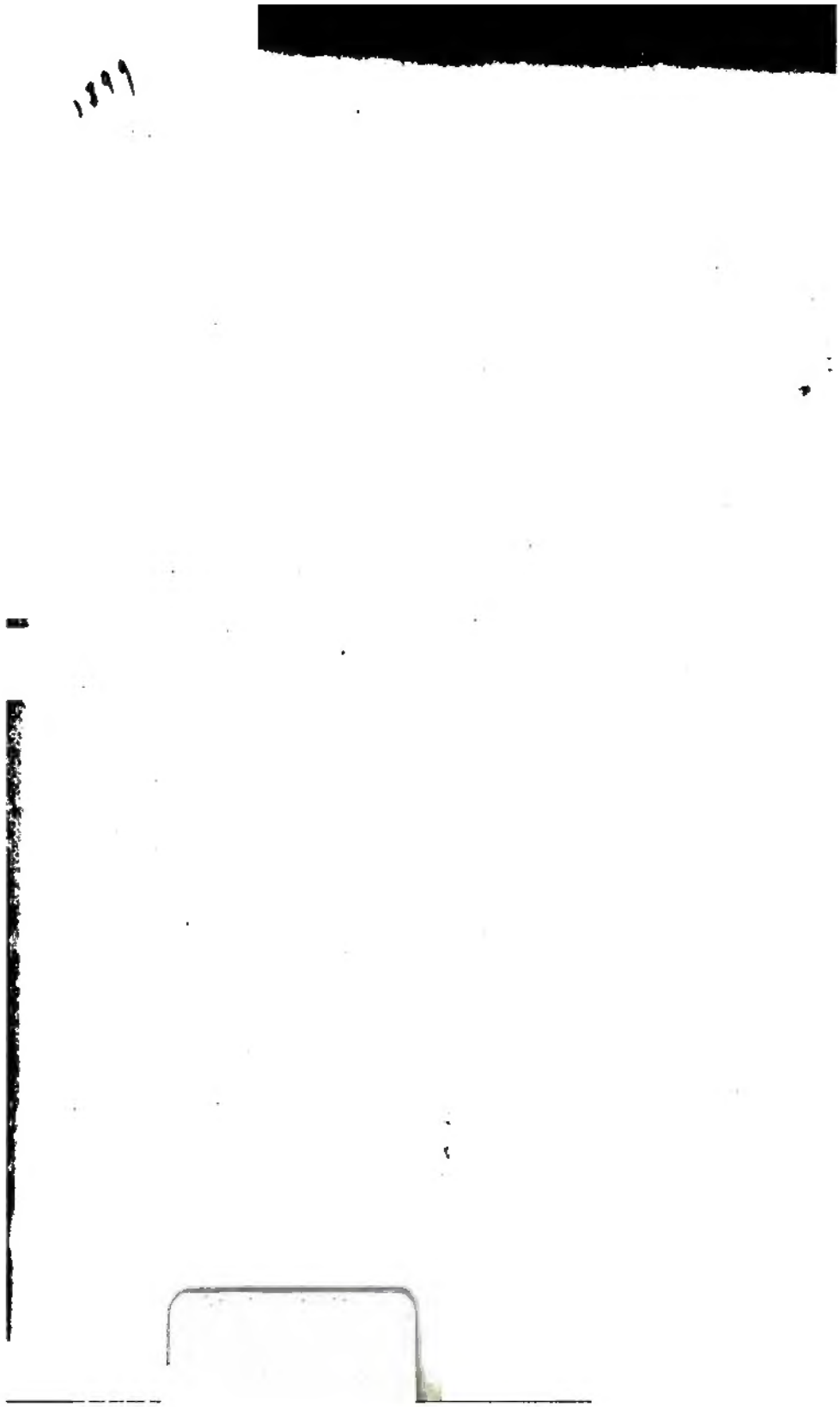

REPORTS OF COMMITTEES

OF THE

ENATE OF THE UNITED STATES

FOR THE

FIRST AND SECOND SESSIONS OF THE FORTY-SIXTH CONGRESS,

1879-'80.

IN EIGHT VOLUMES.

Volume 1 contains Nos. 1 to 9, 1st session, and Nos. 10 to 340, 2d session, except Nos. 277 and 303, parts 1 and 2.
Volume 2 contains Nos. 277 and 303, parts 1 and 2.
Volume 3 contains Nos. 341 to 487, except No. 388.
Volume 4 contains No. 388.
Volume 5 contains Nos. 488 to 571.
Volume 6 contains Nos. 572 to 670.
Volume 7 contains Nos. 671 to 725, and 693, part 1.
Volume 8 contains No. 693, parts 2 and 3.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1880.

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Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 992.]

The Committee on Pensions, having examined the bill (S. 992) granting a pension to Mrs. Julia Gardner Tyler, and the petition accompanying, find that the applicant is the widow of the late President John Tyler; that owing to adverse circumstances she has been reduced to penury, and now asks of Congress such assistance as the distinguished position, unblemished character, and extraordinary public services of her late husband entitle her to expect. Believing that these circumstances will recommend themselves to the favorable consideration of the Senate, the Committee recommend the passage of the bill.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 672.

IN THE SENATE OF THE UNITED STATES.

MAY 31, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 2608.]

The Committee on Pensions, to whom was referred the bill (H. R. 2608) granting a pension to Anna M. Wehe, have carefully examined the same, and report that the applicant is the dependent mother of the late William Wehe, Company B, Eleventh Ohio Volunteers; that her claim was rejected at the Pension Bureau, upon the ground that the soldier's death was not the result of his military service. It appears from the papers on file in the Pension Office that the soldier was wounded on the 17th day of September, 1862, at the battle of Antietam, a bullet having passed through the upper part of the right lung; that in consequence of this injury he was discharged on the 4th day of March, 1863, and was granted a pension at the rate of eight dollars per month, commencing at the date of discharge; that on the 24th day of November, 1864, he was drowned by falling from a steamer on the Ohio River.

The claimant alleges that the constantly-increasing disability of the soldier from pulmonary troubles incident to his wound would speedily have resulted in his death had he not been accidentally drowned.

Your committee cannot recommend the granting of a pension on such hypothetical assumption, and, believing that the claim was properly rejected by the Commissioner of Pensions, ask that the bill be indefinitely postponed.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 673.

IN THE SENATE OF THE UNITED STATES.

MAY 31, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 745.]

The Committee on Pensions, to whom was referred the bill (H. R. 745) granting a pension to Colby Hornaday, have carefully examined the same, and report that said Hornaday was enlisted June, 1862, and was discharged 30th June, 1865. He claims that in consequence of an attack of measles at Camp Douglas, near Chicago, in 1862, and subsequent cold and exposure, his eyes became diseased, and the disease increased unti. it has resulted in total blindness. His claim was rejected by the Pension Bureau under the provisions of section 4717, Revised Statutes. As this statute has been repealed, and no obstacle now exists to the further prosecution of the claim, and presentation of proof of service and disability incurred in the line of duty, the committee ask to be discharged from the further consideration of the bill, and that the case be referred to the Commissioner of Pensions for decision.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 674.

IN THE SENATE OF THE UNITED STATES.

MAY 31, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1802.]

The Committee on Pensions, to whom was referred the petition of Mrs. Ann M. Paulding, praying for a pension, have carefully examined the same, and report:

The husband of the claimant was a distinguished officer of the United States Navy. He was born in the county of Westchester, State of New York, December 11, 1797, and was the son of John Paulding, one of the captors of Major André, a British spy who had secretly negotiated with Benedict Arnold for the surrender of a strong fortress and a portion of the American Army. This surrender, had it been successfully accomplished, would have so crippled the patriot forces that the successful termination of the war of the Revolution would have been endangered. The capture of Major André exposed the plot and defeated its success.

Hiram Paulding entered the Navy as a midshipman in 1811, and participated in the battle of Lake Champlain, for which service Congress voted him a sword.

In 1843 he attained the rank of captain, and in 1857, while in command of the home squadron, broke up an expedition against Nicaragua, led by William Walker. The main body of this expedition, commanded by Walker in person, landed at Punta Arenas, in the harbor of Greytown, November 25, 1857. Paulding arrived on December 6 in his flagship, the Wabash, and on the 8th landed a force under the command of Captain Engle, when Walker surrendered with 132 followers, who were disarmed and sent to the United States.

In December, 1860, Nicaragua presented him with a sword, and also offered him a tract of land. The latter, however, the Senate of the United States did not permit him to receive.

In July, 1862, he was made a rear-admiral on the retired-list. From 1862 to 1866 he was in command of the navy-yard at New York.

In 1866 he was appointed governor of the Naval Asylum in Philadelphia, and in 1869 was port-admiral at Boston.

It is also in evidence from the following testimony from the mayor and common council of Brooklyn, N. Y., that the claimant is now at an advanced age and in very destitute circumstances:

MAYOR'S OFFICE, CITY HALL,
Brooklyn, December 2, 1878.

To the honorable the Common Council:

GENTLEMEN: At the request of several influential citizens the accompanying memorial is transmitted for your judicious consideration and for such suitable action as

your honorable body shall determine. It has for its object the furtherance of a bill to be presented to Congress for the relief of the venerable Mrs. Ann M. Paulding, widow of the late Senior Rear-Admiral Hiram Paulding, of the United States Navy. The end proposed is just and highly commendable. The advanced age of Mrs. Paulding, the circumscribed conditions to which she is at the present time subjected, naturally suggest that, unless some permanent aid be provided for her support, her future will be clouded with daily anxieties, which it should be the national care to relieve. I trust that some appropriate action on the part of the common council will be promptly taken, tending to further the passage of the bill.

Respectfully,

JAMES HOWELL, *Mayor.*

In response to the foregoing the following resolutions were unanimously adopted by the common council of the city of Brooklyn, N. Y., to wit:

Resolved, That this common council do cordially approve the proposed bill for the relief of Ann M. Paulding, widow of the late Admiral Hiram Paulding, of the United States Navy, a copy of which has just been transmitted to this board by his honor the mayor, and that we urgently request our Representatives in Congress to exert themselves in every honorable manner to secure the passage of said bill.

Resolved, That the city clerk be, and he is hereby, directed to prepare a suitable memorial to Congress asking the early and favorable action of both houses of the national legislature on the aforesaid measure of relief, such memorial to be signed, on behalf of the city of Brooklyn, by his honor the mayor, and the members of the board of aldermen, and to be forwarded for presentation to Congress by the city clerk.

Resolved, That a certified copy of these resolutions be transmitted to each of the Senators in Congress from this State and each of the Congressional Representatives from this city and county.

Attested by the city clerk, William L. Bishop, and by the affixing of the seal of the city of Brooklyn.

In pursuance of the foregoing resolutions, the following petition, signed by the mayor and the president and members of the board of common council of the city of Brooklyn, was presented to Congress and referred to the Committee on Invalid Pensions, to wit:

To the honorable the House of Representatives of the United States:

In behalf of the city of Brooklyn, the undersigned, mayor and board of aldermen of the said city, do most respectfully and earnestly memorialize your honorable body to speedily enact into a law the bill now pending before Congress for the relief of Ann M. Paulding, widow of the late Admiral Hiram Paulding, of the United States Navy.

We urge it most earnestly, believing it to be but an act of simple justice to one whose own intrepid gallantry and unselfish patriotism as displayed in a long career of eminent service to his country (to say nothing of his illustrious lineage) entitle him to so much, at least, of grateful recollection and consideration from his fellow-countrymen as that his aged widow shall, in her declining years, be placed beyond the reach of actual physical want.

Attested by the city clerk, William L. Bishop, and by the affixing of the seal of the said city of Brooklyn.

In addition to the foregoing, other evidence is submitted in support of the same, in the following resolutions and memorial of the board of supervisors of the said city of Brooklyn and county of Kings, New York, to wit:

Resolved, That this board hereby cordially approve of the proposed act of Congress providing for a pension for the widow of the late Admiral Paulding, and request the Representatives of this county in Congress to aid in its passage.

Resolved, That a suitable memorial to Congress be prepared in favor of the passage of such act, to be signed by all the members and officers of this board.

Attested by E. B. Cadley, clerk of board of supervisors of Kings County, New York.

In pursuance of the foregoing resolutions, the following memorial to

the Senate and House of Representatives of the United States was presented and referred to the Committee on Invalid Pensions, to wit:

The undersigned, officers and members of the board of supervisors of the county of Kings, beg leave to memorialize your honorable bodies in favor of the passage of a bill granting a pension to Ann M. Paulding, widow of Hiram Paulding, late senior rear-admiral of the United States Navy, and placing her name on the pension-roll.

Dated Brooklyn, December, 1878, and signed by all of the said supervisors of said Kings County, New York.

Attested by E. B. Cadley, clerk of board of supervisors, Kings County, New York.

In view of the foregoing testimony, which, in the opinion of the committee, clearly establishes the condition of the claimant to be that of need; in view of the fact that she is now at an advanced age and unable to perform physical labor to provide for the necessary wants of increasing years, and in view of the distinguished character of the services performed by her husband in defense of the integrity of his country at home and the preservation of its honor abroad, and of the long period of that brilliant service, embracing nearly the whole of the naval history of the United States, participating in all of its wars since that of the Revolution, and shedding a luster on the republic as well as upon his own character and reputation, undimmed by a single unworthy record, it is the opinion of the committee that the claimant is entitled to the relief prayed for as the surviving widow of a gallant and patriotic officer, and they recommend the passage of the accompanying bill.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 675.

IN THE SENATE OF THE UNITED STATES.

MAY 31, 1880.—Ordered to be printed.

Mr. CALL, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 732.]

The Committee on Pensions, to whom were referred the bills (S. 732 and H. R. 5803) granting a pension to George W. Leamy, have examined the same, and are of the opinion that the said Leamy did not receive his wound while in the line of duty. They therefore recommend the indefinite postponement of the bills.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 676.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. DAWES, from the Committee on Revolutionary Claims, submitted the following

REPORT:

[To accompany bill S. 205.]

The Committee on Revolutionary Claims, to whom was referred the bill (S. 205) granting arrears of pension to Abigail S. Tilton, report back for said bill the following substitute, entitled "A bill granting an increase of pension to Abigail S. Tilton."

This bill is the same as House bill No. 5546, reported from the Committee on Pensions of the House.

The committee adopt the report which accompanies said bill, having found the same to conform to the facts in the case, and recommend the passage of the said substitute.

[House Report No. 692, Forty-sixth Congress, second session.]

It is in evidence that the husband of the petitioner, Benjamin Stevens, was a soldier of the revolutionary war, and was mustered into service on the 18th day of July, 1777, serving as a private in Capt. Samuel McConnell's company, of Col. Thomas Stickney's regiment, of the brigade commanded by General Stark, and was honorably discharged on the 18th day of September, 1777.

It is also in evidence that at the date of the petitioner's marriage with the said Benjamin Stevens she was the widow of David Tilton, and was married to said Stevens on the 31st day of January, 1831, and that they lived together until his death, which occurred on the 25th day of August, 1832; that she subsequently married Adoniram Paige, who died in 1848; that by special act of the New Hampshire legislature, approved January 4, 1849, she was permitted to take the name of Abigail S. Tilton, and in which name she now petitions Congress for relief.

It is in evidence, by letter of the Commissioner of Pensions, that by the act of Congress approved February 3, 1853, she was entitled to have her name placed upon the pension-rolls at any time prior to June 22, 1874, at which date the aforesaid law was repealed.

It is also shown that it was through no fault of the petitioner that she did not avail herself of the provisions thereof before its repeal. Living in a secluded country place, and knowing but little of the proper manner of making application for pension, she caused a petition to be drawn up setting forth in full the facts in her case, which was sent to the member of Congress from her district, and by him was deposited in the petition-box of the House June 8, 1868, as is shown by the journal. The petitioner was soon after informed by one she had reason to rely upon that she was not entitled to a pension, and therefore slept on her rights until informed of her error long after the repeal of the act of February 3, 1853.

It is also in evidence that since the death of her third husband, Adoniram Paige, she has lived with and been supported by Nathaniel D. Tilton, the son of her first husband, until about three years since, when he died, by which event she is now left childless and destitute; that she is now nearly ninety years of age, and in receipt of no means whatever to furnish food or clothing or medical attendance and nursing in her

last years of life. In consideration of which, and in accordance with the spirit of the act approved March 11, 1878, granting pensions to widows of revolutionary soldiers, the committee submit herewith a bill granting her a pension of $16 per month, believing that will meet her needs more fully than the provisions of the bill H. R. 3298 which provides for payment at the rate of $8 per month from 1854 to date of special act granting her a pension, March 3, 1879.

Your committee therefore report back the bill (H. R. 3298) with a substitute therefor, and recommend the adoption and passage thereof.

A BILL granting an increase of pension to Abigail S. Tilton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Abigail S. Tilton, at the rate of sixteen dollars per month, to date from March third, eighteen hundred and seventy nine: *Provided*, All payments heretofore made shall first be deducted.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 677.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. WALLACE, from the Committee on Finance, submitted the following

REPORT:

[To accompany bill H. R. 2567.]

In this case the following facts appear:

E. K. Snead, deceased, was collector of internal revenue for first district of Virginia.

P. H. Slaughter, jr., was one of his deputies. On April 21, 1874, he mailed at Idaho, Va., to Snead at Onancock, Va., both within the district, certain books containing special tax stamps and coupons, amounting to $2,020.83, which never reached Snead, and were lost. The letter was not registered, but its mailing and passage through intermediate offices is shown by the proof. Snead never received the package, but how it was lost is not ascertained.

The stamps transmitted were only available for nine days after being mailed, to wit, until May 1, 1874, and were in blank, and therefore unavailable until countersigned by the collector or his deputy. This the proof, if believed, shows was not done by either of them.

Slaughter seems to be a man of good character, and fully proves the mailing of the stamps.

The estate of Snead is charged with those stamps and his sureties held liable for the amount, $2,020.83, which is definitely fixed by Slaughter as the amount mailed by him.

This state of facts raises but one question:

Is it carelessness for one United States official to transmit to another within his district through the mails official papers, valuable, which cannot be used without forgery?

Your committee are of opinion that this is not such carelessness as should hold the collector and his sureties liable for their loss.

In view of the fact too that the stamps were available for so short a period, it would be a violent presumption to hold that the government has lost anything by reason of this transmission through the United States mails, even by forgery of the signatures of the officials or one of them.

Your committee therefore recommend the passage of the bill.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 678

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 4887.]

The Committee on Pensions, to whom was referred the bill (H. R. 4887) granting a pension to Rosalie Louis, widow of Peter Louis, have carefully examined the same, and report:

That information from the Commissioner of Pensions establishes the fact that no application for a pension under the general law has been made by the widow of the soldier; and the committee, in accordance with their rule, ask that the bill be indefinitely postponed.

46TH CONGRESS, 2d Session. SENATE. REPORT No. 679.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. KIRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 863.]

The Committee on Pensions, to whom was referred the bill (H. R. 863) granting a pension to George W. Woodward, have considered the same, and report:

It is shown by the records of the War Department that George W. Woodward was mustered into the military service of the United States as chaplain of the Forty-fifth Regiment of Illinois Volunteers, to date from January 1, 1862.

By Special Orders No. 28, from headquarters Department of the Tennessee, his resignation was accepted on account of ill health, to take effect January 28, 1863.

In February, 1872, he filed an application for invalid pension, alleging therein that at the time of his resignation he was suffering under a wasting diarrhea, cough, and heavy expectoration, with great emaciation and debility. These symptoms he alleges continued many months, with general disturbance of the mucous membrane, and inflammation of the eyes. After a long time these symptoms abated and his eyes became the seat of the disease, abscesses forming upon the lids, some of them like ordinary sties, but others many times larger, and discharging pus very freely. In the autumn of 1865, the vision of both eyes became obscured, and so continued until September, 1867. He alleges his disability to be from cataract which grew upon him while marching through Tennessee in 1862.

C. A. Griswold, ex-surgeon, in a certificate made May 2, 1872, states that claimant was then 62 years of age, was found to be diseased of both eyes with lenticular cataract. The right eye had been operated upon by removal of the lens, the iris being ruptured in the operation, leaving only a partial restoration of sight. With the left eye he can just distinguish light from darkness; not objects. The claimant is almost blind and dependent upon others for eyesight.

It is shown by the affidavits of several witnesses that claimant was in good health when he entered the Army, and had no trouble with his eyes except a moderate and ordinary near-sightedness.

The regimental surgeon, Dr. Lyman, upon whose certificate he received his discharge, says, under date of January 25, 1863, "from daily observation for several months, it is my unqualified opinion that in consequence of enfeebled vital powers, incident to his age and natural consti-

tutional weakness, he cannot endure the exposure and privations of camp life without danger of producing permanent and serious disease."

There is a great deal of evidence in this case to show that this claimant has been very much enfeebled since his discharge from the service, and also to prove that he is now nearly blind, and somewhat dependent on others for assistance where eyesight is concerned.

The claim was rejected by the Pension Office on the ground that his deficiency of vision was not incident to his military service.

The medical referee of that office says, "The causes (that is, those ultimate agencies that produce the opacity of the crystalline lens) that produce cataract, are general in their nature, and as a fact it is not in one case in a thousand that the *true* cause can be fixed upon. Certainly it is largely a matter of age; the change in the lens constituting a part of those general changes (and they are always degenerative) caused by *decay*. Still, while that is true, we often see it in subjects whose general health seems to be perfect. It is a disease in no possible way 'incident' to military service. It is impossible for me to say that the conditions to which the claimant was subjected in his year of service did not have *some* agency in causing the cataract. I give it very distinctly as my opinion that he would have had the cataract all the same if he had never *heard* of an army. If because the service *may* have had some agency in the matter we are to give the claimant the benefit of the doubt, as the 'practice of the office,' the claim should be admitted."

The claimant having procured additional medical evidence, asked that the claim might be reopened for its consideration. This evidence was, through the board of appeal, referred to the medical referee for his opinion as to its sufficiency. He returned it with the statement that it "does not add anything to the case. The certificate on which he based his resignation says nothing about disease of the eyes, or diarrhea. Evidence shows clearly that disease of eyes did not appear till some time after discharge, and the cataract from which he is now suffering is of still later date. I can see no connection between any disease contracted in the service and his present condition."

The committee are of opinion that the action of the Pension Office was proper, and recommend that the bill do not pass.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 680.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 465.]

The Committee on Pensions, to whom was referred the bill (S. 465) granting an increase of pension to George Smith, have examined the same, and report:

That the claimant, while unable to furnish the testimony of an eye-witness to the accident whereby he received the injury for which he claims the pension, does, in the opinion of the committee, furnish abundant proofs that he did receive it as he alleges, and they therefore recommend the passage of the bill as amended.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 681.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. COCKRELL, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bills H. R. 952 and S. 295.]

The Committee on Military Affairs, to which were referred the bills (S. 295 and H. R. 952) for the relief of the Fifteenth and Sixteenth Regiments Missouri Cavalry Volunteers, has duly considered the same, and submits the following reports:

These two bills are identical, and direct the Secretary of the Treasury to pay bounty to the enlisted men of said two regiments, as follows, to wit: $100 to those who served one year or more; $66.66 to those who served six months and less than one year; and $33.33 to those who served less than six months.

The Senate bill 295 was introduced April 1, 1879, and referred to your committee, and the bill H. R. 952 passed the House April 17, 1880, and was, on April 19, 1880, also referred to your committee.

In the House the following report was made, to wit:

The Committee on Military Affairs, to whom was referred bill H. R. 952, having had the same under consideration, respectfully submit the following report:

A similar bill to this was unanimously reported from this committee in the Forty-fifth Congress and the following report submitted, which your committee now adopt as their report on this bill, viz:

Mr. DIBRELL, from the Committee on Military Affairs, submitted the following report, to accompany bill H. R. 1590:

The Committee on Military Affairs, to whom was referred the bill (H. R. 1590) for the relief of the Fifteenth and Sixteenth Regiments Missouri Cavalry, respectfully submit the following report:

The Fifteenth and Sixteenth Regiments of Missouri cavalry were formerly the Sixth and Seventh Regiments Missouri Enrolled Militia, and, from the report of the adjutant-general of the State of Missouri, rendered very efficient service to the United States Army. By an order of the War Department to Major-General Rosecrans, commanding the Department of the Missouri, dated 10th June, 1864, those regiments of Missouri enrolled militia were mustered into the regular service, and their musters to date back to November 1, 1863, when last paid by the State of Missouri, for a period of twenty months.

From a letter from the Adjutant-General of the United States Army it appears that these men were regularly mustered into the service by companies from the 3d July, 1864, to the 7th September, 1864. The musters of the original members dated back to November 1, 1863.

It also appears that 263 of these men had enlisted in said regiments before said order of the 10th June, 1864; and that 909 men enlisted afterward, and were irregularly and improperly mustered to date back as the others were; and that that muster was corrected by orders dated November 26, 1864, and further enlistments stopped.

The benefit of the bounty-law of Congress, passed July 4, 1864, as found in Statutes at Large 13, page 379, is denied soldiers in these regiments. The section referred to reads as follows: "Every volunteer who shall be accepted and mustered into the service for a term of one year, unless sooner discharged, shall receive and be paid by the United States a bounty of $100, one third payable when mustered into the service, one-third when his time is half out, and one-third at the end of his service," and in like ratio for two and three years.

The Statutes at Large, vol. 14, page 322, provide that every soldier enlisting after April 14, 1861, for not less than two years, shall be entitled to an additional bounty of $50. And those soldiers neither enlisted for one nor two years, but for a period of twenty months, and were discharged after their enlistment expired.

Your committee are of opinion, after a careful consideration of the whole question, and the valuable service rendered to the United States Army as Missouri militia, and having fully complied with the terms of their enlistment, that they should be entitled to the relief sought, and they therefore recommend the passage of the bill for their relief.

Your committee has fully examined the facts in this case, and finds the foregoing report correct, except that the Fifteenth Regiment was formerly the Seventh Regiment Missouri Enrolled Militia, and the Sixteenth was formerly the Sixth.

By the act of July, 22, 1861, sections 5 and 6, it was provided that each of the soldiers organized thereunder should receive certain pay and allowances, "and in addition thereto, if he shall have served for a period of two years, or during the war if sooner ended, the sum of one hundred dollars;" and

That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service, and the widow, if there be one, and if not, the legal heirs of such as die or may be killed in service, in addition to all arears of pay and allowances, shall receive the sum of $100.

By the act of March 25, 1862, the Secretary of War was required to allow and pay to the officers and soldiers actually employed in the military services of the United States, whether mustered or not, where their services were accepted by the generals in command of the "Department of the West" or the "Department of the Missouri" "the pay and bounty as in cases of regular enlistments," and there was a further provision in section three—

That the heirs of those killed in battle or of those who may have died from wounds received while so in service, shall be entitled to receive the bounty and pay to which they could have been entitled had they been regularly mustered into service: *Provided that the bounty and pay referred to in this act shall not be payable unless their term of enlistment and service be of such duration as to entitle them to receive the same according to existing laws.*

The act of July 5, 1862, section six, provided that the acts of July 22 and July 29, 1862, should—

Be so construed as to allow $25 of the bounty of $100 therein provided to be paid *immediately after enlistment* to every soldier of the regular and volunteer forces hereafter enlisted during the continuance of the existing war.

By the act of July 12, 1862, all payments under said act of March 25, 1862, before quoted, were suspended until they could be examined and reported upon by a commission therein provided for.

By the act of July 17, 1862, the President was authorized—

To accept services of any number of volunteers, not exceeding one hundred thousand as infantry, for a period of nine months, unless sooner discharged; and every soldier who shall enlist under the provisions of this section shall receive his first month's pay, and *also* $25 *as a bounty* upon the mustering of his company or regiment into the service of the United States.

And the President was further authorized by section four—

To accept the services of volunteers in such numbers as may be presented for that purpose for *twelve months*, if not sooner discharged; and such volunteers, when mustered into the service, shall be in all respects upon a footing with similar troops

in the United States service, *except as to service bounty, which shall be* $50, one-half of which to be paid upon their joining their regiments and the other half at the expiration of their enlistment.

By the act of March 3, 1863, it was provided that—

All payments of advance bounty to enlisted men who have been discharged before serving out the term required by law for its full payment shall be allowed in the settlement of the accounts of paymasters at the Treasury.

And that any person who had enlisted for nine months or a shorter period—

May enlist in a regiment from the same State to serve for the term of one year; and any person so enlisting shall be entitled to and receive a bounty of $50, to be paid in time and manner provided by the act of July 22, 1861. * *

By another act of March 3, 1863, it was provided that every person—

Who has been, or shall hereafter be, discharged * * * within two years from the date of their enlistment, by reason of wounds received in battle, shall be entitled to receive the same bounty as is granted or may be granted to the same classes of persons who are discharged after a service of two years.

Section 1 of the act of July 4, 1864, is as follows, to wit:

That the President of the United States may, at his discretion, at any time hereafter call for any number of men as volunteers for the respective terms of one, two, and three years, for military service; and any such volunteer, or, in case of draft, as hereinafter provided, any substitute, shall be credited to the town, township, ward of a city, precinct, or election district, or of a county not so subdivided, towards the quota of which he may have volunteered or engaged as a substitute; and every volunteer who is accepted and mustered into the service for a term of one year, unless sooner discharged, shall receive, and be paid by the United States, a bounty of one hundred dollars; and if for a term of two years, unless sooner discharged, a bounty of two hundred dollars; and if for a term of three years, unless sooner discharged, a bounty of three hundred dollars; one-third of which bounty shall be paid to the soldier at the time of his being mustered into the service, one-third at the expiration of one-half of his term of service, and one-third at the expiration of his term of service; and in case of his death while in service, the residue of his bounty unpaid shall be paid to his widow, if he shall have left a widow; if not, to his children, or if there be none, to his mother, if she be a widow.

The act of June 18, 1866, provided—

That the Secretary of War be, and he is hereby, authorized and required to cause to be paid to the enlisted men of the first, second, and third Indian regiments the bounty of one hundred dollars, under the same regulations and restrictions as now determine the payment of bounty to other volunteers in the service of the United States.

By the act of July 3, 1866, the same bounty was allowed to the Thirty-seventh Iowa Volunteer Infantry provided by law to soldiers enlisted during 1862. Sections 12 and 13 of the act of July 28, 1866, are as follows, to wit:

SEC. 12. *And be it further enacted*, That each and every soldier who enlisted into the Army of the United States after the nineteenth day of April, eighteen hundred and sixty-one, for a period of not less than three years, and having served the time of his enlistment has been honorably discharged, and who has received or who is entitled to receive from the United States under existing laws, a bounty of one hundred dollars and no more, and any such soldier enlisted for not less than three years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children or parents in the order named, of any such soldier who died in the service of the United States, or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of one hundred dollars hereby authorized.

SEC. 13. *And be it further enacted*, That to each and every soldier who enlisted into the Army of the United States, after the fourteenth day of April, eighteen hundred and sixty-one, for a period of not less than two years, and who is not included in the foregoing section, and has been honorably discharged after serving two years, and who has received or is entitled to receive from the United States, under existing laws, a bounty of one hundred dollars and no more, shall be paid an additional bounty of fifty dollars, and any such soldier enlisted for not less than two years, who has been honorably discharged on account of wounds received in the line of duty, and the widow, minor children, or parents, in the order named, of any such soldier who died in the service of the United States, or of disease or wounds contracted while in the service, and in the line of duty, shall be paid the additional bounty of fifty dollars hereby authorized.

By the act of February 21, 1868, it was provided that if any person entitled to bounty under the foregoing sections, 12 and 13, of act of July 28, 1866, died before receiving same it should be paid to his heirs.

By the act of February 13, 1862, 10,000 troops in Missouri and 4,500 in Maryland were authorized to serve in the limits of those States, and by the act of July 13, 1868, they were placed "on an equal footing with the volunteers as to bounties."

By the act of July 14, 1870, the same bounty was—

Granted the enlisted men of the Third Arkansas Cavalry who were mustered out of the service on the twenty-second day of May, eighteen hundred and sixty-five, as is allowed all other soldiers enlisted for three years or during the war.

The act of April 22, 1872, is as follows, to wit:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every volunteer, non-commissioned officer, private, musician, and artificer who enlisted into the military service of the United States prior to July twenty-second, eighteen hundred and sixty-one, under the proclamation of the President of the United States of May third, eighteen hundred and sixty-one, and the orders of the War Department issued in pursuance thereof, and was actually mustered before August sixth, eighteen hundred and sixty-one, into any regiment, company, or battery which was accepted by the War Department under such proclamation and orders, shall be paid the full bounty of one hundred dollars, under and by virtue of the said proclamation and orders of the War Department, in force at the time of such enlistment and prior to July twenty-second, eighteen hundred and sixty-one: *Provided*, That the same has not already been paid.

Approved, April 22, 1872.

The Fifteenth Regiment Missouri Cavalry Volunteers, formerly the Seventh Regiment Enrolled Missouri Militia, and the Sixteenth Regiment Missouri Cavalry Volunteers, formerly the Sixth Regiment Enrolled Missouri Militia, were mustered into the service of the United States for the period of twenty months from November 1, 1863, and by order as follows, to wit:

[General Orders No. 36.]

HEADQUARTERS STATE OF MISSOURI,
ADJUTANT-GENERAL'S OFFICE,
Saint Louis, November 28, 1864.

Under authority from the War Department, expressed in a letter to Major-General Rosecraus, commanding Department of the Missouri, dated June 10, 1864, the Sixth and Seventh Provisional Regiments Enrolled Missouri Militia, have been mustered into the United States service for the period of twenty months from November 1, 1863.

Inasmuch as the organization has partaken of the character of volunteers in the United States service for the period before mentioned the following regimental organizations are established and announced for the information of all concerned.

Then follows regimental officers and company commanders.

The historical memoranda of record concerning these two regiments show the following facts:

On the 12th day of March, 1863, by instructions from the governor of Missouri, General C. B. Holland issued an order to organize two provisional regiments, by detail or otherwise, from the several regiments in his district "*for actual and continual service*," and on April 1, 1863, the Fifteenth Regiment Missouri Cavalry was organized as the Second Provisional Regiment, and placed in the field as regular troops in the southwestern part of Missouri, and on May 19, 1863, an order was issued changing the number of the regiment to the Seventh Provisional Regiment Enrolled Missouri Militia. This regiment did most effective service, constantly in the field without receiving any pay or emoluments from the State of Missouri for the period of over twelve months. In June, 1864, under the before-mentioned order of the War

tment, the regiment was regularly mustered into the United States
e, to date back to November 1, 1863, in order to cover the back
ıe them from the State of Missouri, and because they had been
ıal service prior and subsequent to that date.
ing General Price's raid into Missouri this regiment composed a
f the brigade commanded by General John B. Sanborn, United
Volunteers, and did most effective service in that severe cam-

Sixteenth Missouri Cavalry Volunteers was organized in the
way, and did most effective service, participating in the same
ign against General Price and in other service.
ill thus be seen that both these regiments were actually in the
: and in the field from the spring of 1863 to July 1, 1865, when
ere mustered out, and that they actually served for a longer term
wo years. A part of the time they were serving as enrolled mil-
d for over a year as regular United States Volunteers, having
ctually mustered into the United States service for twenty months
November 1, 1863. Had they actually been mustered into the
l States service at the beginning of their service in the field they
under the act of July 22, 1861, have been entitled to the bounty
), and under the act of July 4, 1864, they would have been en-
to a bounty of $200, and under the act of July 28, 1866, to an
ıal bounty of $50. Had they enlisted for only nine months,
the act of July 17, 1862, they would have been entitled to $25
on enlistment; had they been enlisted under the act of July 4,
hich was prior to the order of General Rosecrans for their mus-
for the term of one year only they would have been entitled to a
of $100—one-third payable at enlistment, one-third at expi-
of six months, and one-third at expiration of service.
question arises why they have been paid no bounty?
committee has examined and quoted herein all the laws of Con-
granting bounties. From these laws it will be seen that bounties
llowed and paid to certain troops enlisting for nine months, one
wo years, and three years, and that no provision was made for
yment of bounties for any periods or terms between nine months
e year, and between one year and two years, or between two years
ree years, and that all troops enlisting for the periods named re-
the full bounties provided upon their final discharge from the
by reason of the close of the war, whether they served out their
rms or not. These troops were mustered into the service for
months, a period between one and two years, and under no ex-
law can they be paid any bounty whatever. This bill simply
them upon an equal footing with the troops enlisted for one year,
es not give them the benefit of the $50 additional bounty pro-
or by the act of July 28, 1866.
committee find that the cases of these two regiments are wholly
onal and stand alone, and that the passage of the bill H. R. 952
be considered or held as a precedent for granting bounties to
ıer troops not entitled thereto under existing laws.
ew of the facts, therefore, that these two regiments were actually
field in active service, faithfully discharging their duties for the
two years, and were actually mustered into the United States serv-
twenty months, and performed one year's full service after June
4, the date of the order of the War Department to muster them in
back to November 1, 1863, and that their cases are wholly ex-
al, and will form no precedent for any other troops, your com

mittee considers it an act of duty, justice, and right to grant to th troops at least the same bounty they would have been entitled to h they only enlisted for twelve months, and in this view your committ leaves out of question the additional bounty of fifty dollars allowed the act of July 28, 1866, to all who actually enlisted in the United Stat service for a term not less than two years.

Your committee therefore recommends that bill S. 295 be indefinite postponed and that bill H. R. 952 be passed without amendment.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 682.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. CALL, from the Committee on Pensions, submitted the following

REPORT:

The Committee on Pensions, to whom was referred the petition of Mary E., widow of James H. Shepley (late first lieutenant Company E, First Minnesota Volunteers), for arrears of pension, would respectfully report as follows:

That in reply to a letter of the chairman of this committee the Commissioner of Pensions reports that "the case has been admitted."

There is therefore no need of action by Congress in this case.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 683.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. KERNAN, from the Committee on Finance, submitted the following

REPORT:

[To accompany bill S. 1628.]

The Committee on Finance, to whom was referred the bill (S. 1628) *for the relief of Harry I. Todd, late keeper of the Kentucky penitentiary, have had the same under consideration, and submit the following report:*

Harry I. Todd was duly elected by the general assembly of Kentucky keeper of the State penitentiary, and held that position from March 9, 1863, until March 1, 1871.

He was elected under, and his duties, liabilities, and rights were prescribed by, chapter 922, enacted in 1862, and chapter 2045, enacted in 1867, of the laws of that State.

He received no compensation except such profits as he might make in selling the articles manufactured by the labor of the convicts, over and above their support, the cost of materials, &c., and certain sums which he was required to pay into the treasury of the State by the laws under which he was elected.

Chapter 922 of the Laws of Kentucky declares:

> The keeper of the penitentiary shall hold *his office* for four years.
>
> * * * * * * *
>
> If the keeper of the penitentiary fail or refuse to comply with the obligations imposed on him by this act, or shall be guilty of any malfeasance in office, the governor shall have full power, and it shall be his duty, to remove him forthwith.
>
> * * * * * * *
>
> In the event of the death or *removal from office* of the keeper of the penitentiary, the governor, secretary of state, and auditor shall make a contract with a suitable person to take charge of the penitentiary according to the provisions of this act until the next ensuing meeting of the general assembly, and until a new keeper be *elected* and qualified.

These sections and various sections of chapter 2045, Laws of Kentucky, 1867, describe the keeper as an *officer* subject to the control of the State. He was required to and gave a bond as an *officer* to perform the duties of his *office* as required by law.

As keeper of the penitentiary he was required by the statute to keep the convicts at labor, and for this purpose the State furnished buildings, machinery, &c., for the manufacture of certain articles, among them bagging, wagons, chairs, &c.

While in the performance of his duties as keeper from 1863 to 1869 he was called upon by the United States internal revenue officials to pay taxes on articles manufactured by the convicts and sold by him. The taxes were paid under protest, and a claim for refunding the amount paid

was duly made to the Internal Revenue Bureau. The papers submitted showed beyond a doubt that the articles were made exclusively by convict labor, and on being presented to the law officer of the Treasury, Hon. W. H. Smith, Solicitor, the claim was allowed, July 27, 1879; but the Commissioner thereupon submitted the case to C. P. James, and on his opinion the claim was rejected.

The present Commissioner of Internal Revenue declines to reopen the case under the rules of the department that a case once decided by a former Commissioner cannot be reopened by a succeeding Commissioner, unless in certain contingencies which the Commissioner does not think exist in the present case.

The amounts of the taxes exacted by the United States officials and paid into the United States Treasury are as follows:

Statement of taxes assessed and paid.

For 1863–'64. For manufacturing and sales of bagging and chairs and tax for slaughtering animals to feed convicts	$2,320 25
1865. Same and manufacturer's license for each employment	6,691 64
1866. Same	17,751 99
1867. Same	4,481 00
1868. Same	3,761 69
	35,006 57

Your committee are of the opinion that whether Mr. Todd was liable to pay any part or all of the sums exacted is a question which should be decided by the courts. The committee, therefore, report back the accompanying bill, with an amendment, and authorizing Mr. Todd to institute an action against the United States in the Court of Claims to recover the amount of said internal revenue taxes alleged to have been improperly collected from him, and recommend its passage.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 684.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. PLATT, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 3099.]

The Committee on Pensions, to whom was referred the petition of Joseph and Catharine Boll and other citizens, praying for granting of a pension to Catharine Boll, mother of Louis Boll, have carefully examined the same, and report:

That Louis Boll, the son of claimant, was enrolled on the 12th day of November, 1861, in Company H, Eleventh Regiment Pennsylvania Volunteers, to serve three years, and was regularly mustered into the service of the United States, as a private, on the 27th day of November, 1861, at Annapolis, Md., in Company H, Eleventh Regiment Pennsylvania Volunteers, to serve for three years, or during the war; and was killed in action at Bull Run, Va., on the 30th day of August, 1862.

This claim was originally filed at the Pension Office on the 25th day of January, 1873, and was, after a full compliance with all the requirements of that office, rejected upon a final hearing—cause, non-dependence. An appeal was taken to the Secretary of the Interior, who, however, sustained the decision of the Commissioner of Pensions.

The facts shown by the evidence are that Louis Boll, at the time of enlistment, was barely eighteen years of age; had prior to his enlistment lived with his parents; had worked for two years before his enlistment for a Mr. Beahm; and had given his entire wages to his parents, who supported and provided for him. The amount of wages earned by him at this period is not stated.

His father, Joseph Boll, was, at the time of his son's enlistment, a carpenter in fair health, with steady work and ordinary wages, which he properly applied to the support of the claimant.

During the soldier's service he sent home money, from time to time, to his parents. How much money was thus sent does not appear; but one letter is produced, and in that the sum of $15 appears to have been remitted.

The case seems to have been one, not unusual, where the parents claimed and received the boy's wages, and provided him with necessary support.

Neither the father nor the mother had or now have any property.

During the years that have passed since the son's enlistment the father, Joseph Boll, husband of the claimant, has been gradually failing, until now, at the age of sixty-eight, he is able to earn but little, not enough to support the claimant. At the time of the soldier's enlistment, during his service, and for some years afterwards, the husband did earn enough to support the claimant, and did properly support her.

The petitioner has two daughters living, aged, respectively, thirty a thirty-two years. Whether they have ever contributed to her supp is not shown.

The committee are of opinion that petitioner was not dependent u her son for support at the time of his enlistment or at any time.

They therefore ask to be discharged from further consideration of petition, and that the prayer thereof be denied.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 685.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. KIRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

The Committee on Pensions, to whom was referred the petition of Jane E. Slamm, asking for arrears of pension, have examined the same, and report:

That it appears from a letter of the Commissioner of Pensions that the petitioner has failed to make any application to his office for arrears under the acts of January 25 and March 9, 1879. The committee therefore ask to be discharged from the further consideration of the petition, and that it be indefinitely postponed.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 686.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. MCPHERSON, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1334.]

The Committee on Pensions, to whom was referred the bill (S. 1334) granting a pension to Charles H. Frank, have carefully examined the same, and report as follows:

It appears from the evidence on file in the case that the petitioner was a private in Company H, Third Delaware Volunteers; enlisted March 3, 1862; discharged May 28, 1863; and filed declaration for pension June 3, 1863.

Pension was granted at $4 per month, which has been since increased to $18 per month.

The petitioner claims to have been injured on the retreat to Harper's Ferry. He fell down in crossing a ditch, and was injured in the spine by being trod upon by a comrade.

The reports from the Adjutant-General's office and hospital reports confirm fully the statement of the petitioner, and it is further verified by a large number of witnesses.

He claims his disability to be total and permanent.

Drs. Reyburns and Stanton examined the petitioner on November 17, 1879, and report him thus: "He is now in a condition to warrant a rating of second grade, as he is wholly unable to do any manual labor."

The medical referee upon the report presented disagrees with the conclusions of the board, and thereupon the Pension Office rejected the application for increase.

The petitioner has an aged mother and sister dependent upon him for support, and he is entirely disabled from contributing to their support, but on the contrary has been a burden upon them by reason of the injury he received in the service. His disability seems to be increasing, and is without doubt continuous, as shown by reports of medical officers.

The committee therefore recommend the passage of the bill with an amendment.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 687.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. GROOME, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 751.]

The Committee on Pensions, to whom was referred the bill (H. R. 751) granting a pension to Harvey Burk, have examined the same, and adopt the House report, which is as follows:

Mr. Burk was enlisted on the 22d day of July, 1862, as a private in Company E, of the Sixty-seventh Regiment of Indiana Volunteers, and was discharged at Carrollton, La., on September 19, 1863, because of a partial loss of use of his hands and feet caused by rheumatism, which had become chronic and rendered him totally unfit for military service.

The evidence shows total disability, and the only reason alleged for the rejection of the claim for a pension in this case was the statement that the disability existed prior to enlistment; but the recruiting officers enlisted him as a sound man; the colonel of his regiment, the captain of his company, and the captain of another company in the same regiment, all swear that Mr. Burk was in good health at and before his enlistment, and became disabled in the service. The first lieutenant of his company swears that this soldier was disabled in the line of his duty.

The assistant surgeon of the regiment, under date of June 2, 1869, certifies that the disability was the result of rheumatism and neuralgia, caused by exposure while a prisoner; and the examining surgeon of the Pension Office certifies that the disability is total, and that he believes from the evidence it was incurred during the service and in the line of duty. In addition to this all the county officers of Jackson County, Indiana, and a large number of respectable citizens of Brownstown, in said county, where the soldier had his home, certify that they had known him many years, and that when he enlisted he was a sound and healthy man, free from disease; and against all this mass of testimony there is nothing whatever except the statement of the assistant surgeon of the regiment in 1863, which was afterwards corrected by the certificate above mentioned of the same surgeon on June 2, 1869, and the statement of a detective employed by the Patent Office, that, in his opinion, the disability existed before enlistment, and that a man named Nelson Durland had told him so.

In the opinion of your committee this statement of the detective, founded on mere hearsay and not supported by any affidavit, amounts to nothing as against the great weight of evidence showing that the disability in fact accrued during the service, and that the soldier was sound and fit for service when enlisted. Your committee therefore recommend that the accompanying bill (H. R. 751) be passed.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 688.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. GROOME, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1318.]

The Committee on Pensions, to whom was referred the bill (S. 1318) granting a pension to Seymour Colby, have examined the same, and report:

The claimant enlisted August 13, 1864, and was discharged on May 29, 1865, on account, he alleges, of injuries received while loading some cattle. The captain of his company also testifies to this fact. He filed an application for pension May 21, 1877, alleging chronic diarrhea and rheumatism. He fails to furnish evidence of any treatment for these diseases while in the Army or for nearly two years thereafter. Two of his comrades testify that he suffered from them while in the Army, although he was not in hospital. In view of the fact that he was only in the service about nine months, that there is no record of the existence of disease for which he claims pension at time of discharge, or for about two years thereafter, and the further fact that his application was not filed for twelve years after discharge, the committee ask to be discharged from the further consideration of the bill, and that it be indefinitely postponed.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 689.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. GROOME, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 1890.]

The Committee on Pensions, to whom was referred the bill (H. R. 1890) granting a pension to Ellen Gillespie, have carefully examined the same, and report:

That John W. Gillespie, the husband of the applicant, was discharged from the service February 6, 1863, on account of a wound received at the battle of Antietam, the ball entering right arm, passing thence into thorax, below nipple; thence downward and out, near the spinal column. It is shown by the testimony of his family physician that at times he suffered from pain in his right side. He died suddenly on October 28, 1878, in presence of the physician aforesaid, who further testified that there was "no *post mortem* examination, but from the obscurity of the case and its symptoms I am led to believe that the wound, or injury resulting from the wound, was, if not the immediate, the remote cause of his death." The committee, however, do not believe that the evidence justifies this conclusion; they agree with the Commissioner of Pensions that the death of said Gillespie was not the result of wounds. They therefore ask to be discharged from the further consideration of the bill, and that it be indefinitely postponed.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 690.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. GROOME, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 3017.]

The Committee on Pensions, to whom was referred the bill (H. R. 3017) granting a pension to William Bryant, have carefully examined the same, and report:

The applicant enlisted August 9, 1869, and was discharged May 13, 1865. He claims a pension on account of chronic pleuritis, caused by being struck on the left side with a piece of shell on July 12, 1864, while in battle. The medical referee reports that he is suffering from organic disease of the heart, and that there is no connection between said disease and the blow or wound from the shell. The committee concur in this belief, and ask to be discharged from the further consideration of the bill, and that it be indefinitely postponed.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 691.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. CALL, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1809.]

The Committee on Pensions, to whom was referred the petition of Army officers, praying that a pension be granted to Amos Chapman, scout, have carefully examined the same, and report:

That Amos Chapman, now resident at Camp Supply, Indian Territory, was employed as scout and guide for the "Indian Territory Expedition," commanded by Colonel and Brevet Major-General N. A. Miles, U. S. A.

On the 12th of September, 1874, while he and *five* others were conveying official dispatches from a camp of the expedition on McClellan Creek, Texas, to Camp Supply, Indian Territory, they were met, attacked, and surrounded near the Washita River, Texas, by a force of 125 hostile Kiowas and Comanches, whom they fought so stubbornly as to compel them to abandon the attack.

During this fight Amos Chapman received a wound that rendered the amputation of his leg necessary, and makes him incapable of providing for himself.

The above statement is certified to by the officers of the command in which he served, to wit:

Nelson A. Miles, colonel Fifth Infantry, commanding Indian Territory expedition;

C. C. Compton, major Sixth Cavalry, commanding battalion;

G. W. Baird, first lieutenant and adjutant, Fifth Infantry;

Frank D. Baldwin, first lieutenant, Fifth Infantry, and chief of scouts;

Dr. Cleary, post surgeon, U. S. A., Camp Supply;

who also recommend that a pension be granted him in recognition of his heroic services and valuable assistance to the Army.

Your committee would recommend the passage of the accompanying bill.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 692.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. CALL, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1810.]

The Committee on Pensions, to whom was referred the petition of Mary E. Ambrester, praying for a pension, have carefully examined the same, and report:

That the petitioner is the widow of Jerome Ambrester, late a private in Company G, First Maryland Infantry Volunteers, who was wounded in the right shoulder and in the ear and head, on the 18th day of August, 1864, by a minnie ball, on the Weldon Railroad, while in the line of his duty.

At the time of his death, December 1, 1877, he was in receipt of a pension for the wounds described above, and the widow now prays to have the pension continued to herself and his children.

Dr. Robert C. Carter states in affidavit that he attended the soldier during several attacks in the last year of his life; that his disease was abscess of the right lung, in the last and fatal attack of which he died, December 1, 1877. There was a fluctuating tumor beneath the scapula connecting with the cavity of the chest, which tumor could be considerably reduced by pressure.

It is affiant's opinion, having learned that there was no predisposition to consumption in his (the soldier's) family that the cause of his death was inflammation superinduced by the wound received in the Army.

R. H. Tuft, M. D., testifies that he examined and treated the soldier for a wound in the right shoulder at different times since his discharge, and removed fragments of bone from the scapula; attended him for phthisis, and has no doubt that the consumption was the result of the gunshot wound of the right shoulder.

The Commissioner of Pensions rejected the widow's claim on the ground that the soldier's death was not caused by his military service.

It is the opinion of your committee that the evidence of the physicians quoted above is evidence of the origin of the disease from which the soldier died, and that his widow and children are entitled to a pension. They therefore recommend that the prayer of the petitioner be granted, and urge the passage of the accompanying bill.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 693.

REPORT AND TESTIMONY

OF THE

SELECT COMMITTEE

OF THE

UNITED STATES SENATE

TO INVESTIGATE THE CAUSES OF

THE REMOVAL OF THE NEGROES FROM THE SOUTHERN STATES TO THE NORTHERN STATES.

IN THREE PARTS.

PART I.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1880.

COMMITTEE.

DANIEL W. VOORHEES, CHAIRMAN,

ZEBULON B. VANCE,
GEORGE H. PENDLETON,
WILLIAM WINDOM,
HENRY W. BLAIR.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 693.

IN THE SENATE OF THE UNITED STATES.

JUNE 1, 1880.—Ordered to be printed.

Mr. VANCE, from the Committee to Investigate the Causes which have led to the Emigration of Negroes from the Southern to Northern States, submitted the following

REPORT:

The Select Committee, appointed by the Senate to investigate the causes which have led to the migration of the negroes from the Southern States to the Northern States, having duly considered the same, beg leave to submit the following report:

On the 18th day of December, 1879, the Senate passed the following resolution:

Whereas large numbers of negroes from the Southern States are emigrating to the Northern States; and

Whereas it is currently alleged that they are induced to do so by the unjust and cruel conduct of their white fellow-citizens towards them in the South, and by the denial or abridgment of their personal and political rights and privileges: Therefore,

Be it resolved, That a committee of five members of this body be appointed by its presiding officer, whose duty it shall be to investigate the causes which have led to the aforesaid emigration, and to report the same to the Senate; and said committee shall have power to send for persons and papers, and to sit at any time.

In obedience to this resolution the committee proceeded to take testimony on the 19th day of January, and continuing from time to time until 153 witnesses had been examined, embracing persons from the States of North Carolina, Georgia, Alabama, Mississippi, Louisiana, Texas, Missouri, Kansas, and Indiana. Much of this testimony is of such a character as would not be received in a court of justice, being hearsay, the opinions of witnesses, &c., but we received it with a view to ascertaining, if possible, the real state of facts in regard to the condition of the Southern colored people, their opinions and feelings, and the feelings and opinions of their white neighbors. We think it clearly established from the testimony that the following may be said to be the causes which have induced this migration of the colored people from various portions of the South to Northern States, chiefly to Kansas and Indiana: That from North Carolina, the State to which we first directed our attention, was undoubtedly induced in a great degree by Northern politicians, and by negro leaders in their employ, and in the employ of railroad lines.

Examining particularly into the condition of the colored men in that State, it was disclosed by the testimony of whites and blacks, Republicans and Democrats, that the causes of discontent among those people could not have arisen from any deprivation of their political rights or any hardship in their condition. A minute examination into their

situation shows that the average rate of wages, according to the age and strength of the hand for field labor, was from eight to fifteen dollars per month, including board, and house to live in, garden and truck patches around the house, fire-wood, and certain other privileges, all rent free.

These, added to the extra labor which could be earned by hands during the season of gathering turpentine and resin, or of picking cotton, made the general average of compensation for labor in that State quite equal to if not better than in any Northern State to which these people were going, to say nothing of the climate of North Carolina, which was infinitely better adapted to them.

The closest scrutiny could detect no outrage or violence inflicted upon their political rights in North Carolina for many years past. They all testified that they voted freely; that their votes were counted fairly; that no improper influence whatsoever was exerted over them; and many were acquiring real estate, and were enjoying the same privileges of education for their children, precisely, that the whites were enjoying.

It was also disclosed by the testimony that there existed aid societies in the city of Washington, in the city of Topeka, Kans., Indianapolis, and elsewhere throughout the West, whose avowed object was to furnish aid to colored men migrating to the West and North; and notwithstanding that the agents and members of these societies generally disclaimed that it was their intention to induce any colored men to leave their homes, but only to aid in taking care of them after they had arrived, yet it was established undeniably, not only that the effect of these societies and of the aid extended by them operated to cause the exodus originally, but that they stimulated it directly by publishing and distributing among the colored men circulars artfully designed and calculated to stir up discontent. Every single member, agent, friend, or sympathizer with these societies and their purposes were ascertained to belong to the Republican party, and generally to be active members thereof. Some of the circulars contained the grossest misrepresentation of facts, and in almost all cases the immigrants expected large aid from the government of clothes, or land, or money, or free transportation, or something of that kind. Hundreds of them, on given days at various points in the South, crowded to the depots or to the steamboat landings upon a rumor that free transportation was to be furnished to all who would go. It was also disclosed by the testimony on the part of some very candid and intelligent witnesses that their object in promoting this exodus of the colored people was purely political. They thought it would be well to remove a sufficient number of blacks from the South, where their votes could not be made to tell, into close States in the North, and thus turn the scale in favor of the Republican party.

Wages, rents, method of cropping on shares, &c., were inquired into in all of the Southern States mentioned, and the fact ascertained that the aggregate was about the same as in North Carolina. In most of the Southern States where wages were higher than in North Carolina expenses were also higher, so that the aggregate, as before stated, was about the same.

One cause of complaint alleged as a reason for this exodus of the colored people from the South was their mistreatment in the courts of justice. Directing our attention to this the committee have ascertained that in many of the districts of the South the courts were under entire Republican control—judges, prosecuting attorneys, sheriffs, &c., and that there were generally as many complaints from districts thus controlled as there were from districts which were under the control of the

Democratic officials; and that the whole of the complaints taken together might be said to be such as are generally made by the ignorant who fail to receive in courts what they think is justice.

Your committee found no State or county in the South, into which this investigation extended, where colored men were excluded from juries either in theory or in practice; they found no county or district in the South where they were excluded, either in theory or practice, from their share in the management of county affairs and of the control of county government. On the contrary, whenever their votes were in a majority we found that the officers were most generally divided among the black people, or among white people of their choice. Frequently we found the schools to be controlled by them, especially that portion of the school fund which was allotted to their race, and the complaints which had been so often made of excessive punishment of the blacks by the courts as compared with the whites, upon investigation in nearly all cases, proved to be either unfounded in fact or that if there was an apparent excess of punishment of a black man the cause was ascertained to be in the nature of the crime with which he was charged, or the attendant circumstances.

The educational advantages in the South, the committee regret to say, were found to be insufficient, and far inferior to those of most of the States of the North, but such as they were we found in every case that the blacks had precisely the same advantages that the whites enjoyed; that the school fund was divided among them according to numbers; that their teachers were quite as good, and chosen with as much care; that their schools existed as many months in the year; in short, the same facilities were afforded to the blacks as were to the whites in this respect; and that these schools were generally supported by the voluntary taxation imposed by the legislatures composed of white men, levied upon their own property for the common benefit.

With regard to political outrages which have formed the staple of complaint for many years against the people of the South, your committee diligently inquired, and have to report that they found nothing or almost nothing new. Many old stories were revived and dwelt upon by zealous witnesses, but very few indeed ventured to say that any considerable violence or outrage had been exhibited toward the colored people of the South within the last few years, and still fewer of all those who testified upon this subject, and who were evidently anxious to make the most of it, testified to anything as within their own knowledge. It was all hearsay, and nothing but hearsay, with rare exceptions.

Many of the witnesses before us were colored politicians, men who make their living by politics, and whose business it was to stir up feeling between the whites and blacks; keep alive the embers of political hatred; and were men of considerable intelligence, so that what they failed to set forth of outrages perpetrated against their race may be safely assumed not to exist. Many, on the contrary, were intelligent, sober, industrious, and respectable men, who testified to their own condition, the amount of property that they had accumulated since their emancipation, the comfort in which they lived, the respect with which they were regarded by their white neighbors. These universally expressed the opinion that all colored men who would practice equal industry and sobriety could have fared equally well; and in fact their own condition was ample proof of the treatment of the colored people by the whites of the South, and of their opportunities to thrive, if they were so determined. Some of these men owned so much as a thousand acres of real estate in the best portions of the South; many of them had tenants

of their own, white men, occupying their premises and paying them rent; and your committee naturally arrived at the conclusion that if one black man could attain to this degree of prosperity and respectable citizenship, others could, having the same capacity for business and practicing the same sobriety and industry.

Your committee also directed their attention to the complaints frequently made with regard to the laws passed in various States of the South relating to landlord and tenant, and to the system adopted by many planters for furnishing their tenants and laborers with supplies. We found, upon investigation of these laws, and of the witnesses in relation to their operation, that as a general rule they were urgently called for by the circumstances in which the South found itself after the war. The universal adoption of homestead and personal property exemption laws deprived poor men of credit, and the landlord class, for its own protection, procured the passage of these laws giving them a lien upon the crop made by the tenant until his rents and his supplies furnished for the subsistence of the tenant and his family had been paid and discharged; and while upon the surface these laws appeared to be hard and in favor of the landlord, they were, as was actually testified by many intelligent witnesses, quite as much or more in favor of the tenant, as it enabled him to obtain credit, to subsist himself and his family, and to make a crop without any means whatsoever but his own labor. It was alleged also that in many instances landlords, or if not landlords then merchants, would establish country stores for furnishing supplies to laborers and tenants, and the laborer, having no money to go elsewhere or take the natural advantage of competition, was forced to buy at these stores at exorbitant prices.

Your committee regret to say that they found it to be frequently the case that designing men, or bad and dishonest men, would take advantage of the ignorance or necessity of the negroes to obtain these exorbitant prices; but at the same time your committee is not aware of any spot on earth where the cunning and the unscrupulous do not take advantage of the ignorant; and cannot regard it as a sufficient cause for these black people leaving their homes and going into distant States and among strangers unless they had a proper assurance that the States to which they were going contained no dishonest men, or men who would take such advantage of them. Your committee feel bound to say, however, in justice to the planters of the South, that this abuse is not at all general nor frequent; and that as a general rule while exorbitant prices are exacted sometimes from men in the situation of the blacks, yet the excuse for it is the risk which planter and merchant run. Should a bad crop year come, should the Army worm devour the cotton, or any other calamity come upon the crop, the landlord is without his rent, the storekeeper is without his pay, and worse than all the laborer is without any means of subsistence for the next year. It is hoped and believed that when the heretofore disturbed condition of the people of the South settles down into regularity and order, the natural laws of trade and competition will assert themselves and this evil will be to a great extent remedied, whilst the diffusion of education among the colored people will enable them to keep their own accounts and hold a check upon those who would act dishonestly towards them.

On the whole, your committee express the positive opinion that the condition of the colored people of the South is not only as good as could have been reasonably expected, but is better than if large communities were transferred to a colder and more inhospitable climate, thrust into competition with a different system of labor, among strangers

who are not accustomed to them, their ways, habits of thought and action, their idiosyncrasies, and their feelings. While a gradual migration, such as circumstances dictate among the white races, might benefit the individual black man and his family as it does those of the whites, we cannot but regard this wholesale attempt to transfer a people without means and without intelligence, from the homes of their nativity in this manner, as injurious to the people of the South, injurious to the people and the labor-system of the State where they go, and, more than all, injurious to the last degree to the black people themselves. That there is much in their condition to be deplored in the South no one will deny; that that condition is gradually and steadily improving in every respect is equally true. That there have been clashings of the races in the South, socially and politically, is never to be denied nor to be wondered at; but when we come to consider the method in which these people were freed, as the result of a bitter and desolating civil war; and that for purposes of party politics these incompetent, ignorant, landless, homeless people, without any qualifications of citizenship, without any of the ties of property or the obligations of education, were suddenly thrown into political power, and the effort was made not only to place them upon an equality with their late masters, but to absolutely place them in front and hold them there by legislation, by military violence, and by every other means that could possibly be resorted to; when we consider these things, no philosophical mind can behold their present condition, and the present comparative state of peace and amity between the two races, without wonder that their condition is as good as it is.

No man can behold this extraordinary spectacle of two people attempting to reconcile themselves in spite of the interference of outsiders, and to live in harmony, to promote each other's prosperity in spite of the bitter animosities which the sudden elevation of the one has engendered, without the liveliest hope that if left to themselves the condition of the former subject race will still more rapidly improve, and that the best results may be reasonably and fairly expected.

Your committee is further of the opinion that all the attempts of legislation; that all the inflammatory appeals of politicians upon the stump and through the newspapers; that the wild and misdirected philanthropy of certain classes of our citizens; that these aid societies, and all other of the influences which are so industriously brought to bear to disturb the equanimity of the colored people of the South and to make them discontented with their position, are doing them a positive and almost incalculable injury, to say nothing of pecuniary losses which have thus been inflicted upon Southern communities.

Your committee is further of opinion that Congress having enacted all the legislation for the benefit of the colored people of the South which under the Constitution it can enact, and having seen that all the States of the South have done the same; that by the Constitution of the United States and the constitutions of the various States these people are placed upon a footing of perfect equality before the law, and given the chance to work out their own civilization and improvement, any further attempts at legislation or agitation of the subject will but excite in them hopes of exterior aid that will be disappointing to them, and will prevent them from working out diligently and with care their own salvation; that the sooner they are taught to depend upon themselves, the sooner they will learn to take care of themselves; the sooner they are taught to know that their true interest is promoted by culti-

vating the friendship of their white neighbors instead of their enmity, the sooner they will gain that friendship; and that friendship and harmony once fully attained, there is nothing to bar the way to their speedy civilization and advancement in wealth and prosperity, except such as hinder all people in that great work.

D. W. VOORHEES.
Z. B. VANCE.
GEO. H. PENDLETON.

Mr. WINDOM, from the Committee to Investigate the Causes which have led to the Emigration of Negroes from the Southern to the Northern States, submitted the following

REPORT OF THE MINORITY.

The undersigned, a minority of the committee appointed under resolution of the Senate of December 15, 1879, *to investigate the causes which have led to the emigration of negroes from the Southern to the Northern States, submit the following report:*

In the month of December last a few hundred colored men, women, and children, discontented with their condition in North Carolina, and hoping to improve it, were emigrating to Indiana.

This movement, though utterly insignificant in comparison with the vastly greater numbers which were moving from other Southern States into Kansas, seemed to be considered of very much more importance, in certain quarters, on account of its alleged political purposes and bearing. The theory upon which the investigation was asked was that the emigration into the State of Indiana was the result of a conspiracy on the part of Northern leaders of the Republican party to colonize that State with negroes for political purposes. The utter absurdity of this theory should have been apparent to everybody, for if the Republican party, or its leaders, proposed to import negroes into Indiana for political purposes, why take them from North Carolina? Why import them from a State where the Republicans hope and expect to carry the election, when there were thousands upon thousands ready and anxious to come from States certainly Democratic. Why transport them by rail at heavy expense half way across the continent when they could have taken them from Kentucky without any expense, or brought them up the Mississippi River by steamers at merely nominal cost? Why send twenty-five thousand to Kansas to swell her 40,000 Republican majority, and only seven or eight hundred to Indiana? These considerations brand with falsehood and folly the charge that the exodus was a political movement induced by Northern partisan leaders. And yet to prove this absurd proposition the committee devoted six months of hard and fruitless labor, during which they examined one hundred and fifty-nine witnesses, selected from all parts of the country, mainly with reference to their supposed readiness to prove said theory, expended over $30,000, and filled three large volumes of testimony.

The undersigned feel themselves authorized to say that there is no evidence whatever even tending to sustain the charge that the Republican party, or any of its leaders, have been instrumental, either directly or indirectly, in aiding or encouraging these people to come from their homes in the South to any of the Northern States. A good deal of complaint was made that certain "aid societies" in the North had encouraged and aided this migration, and a futile attempt was made to prove that these societies were acting in the interest of the Republican party. Upon inquiry, however, it was ascertained that their purposes

were purely charitable and had no connection whatever with any political motive or movement. They were composed almost wholly of colored people, and were brought into existence solely to afford temporary relief to the destitute and suffering emigrants who had already come into the Northern and Western States.

In the spring of 1879 thousands of colored people, unable longer to endure the intolerable hardships, injustice, and suffering inflicted upon them by a class of Democrats in the South, had, in utter despair, fled panic-stricken from their homes and sought protection among strangers in a strange land. Homeless, penniless, and in rags, these poor people were thronging the wharves of Saint Louis, crowding the steamers on the Mississippi River, and in pitiable destitution throwing themselves upon the charity of Kansas. Thousands more were congregating along the banks of the Mississippi River, hailing the passing steamers, and imploring them for a passage to the land of freedom, where the rights of citizens are respected and honest toil rewarded by honest compensation. The newspapers were filled with accounts of their destitution, and the very air was burdened with the cry of distress from a class of American citizens flying from persecutions which they could no longer endure. Their piteous tales of outrage, suffering and wrong touched the hearts of the more fortunate members of their race in the North and West, and aid societies, designed to afford temporary relief, and composed largely, almost wholly, of colored people, were organized in Washington, Saint Louis, Topeka, and in various other places. That they were organized to induce migration for political purposes, or to aid or encourage these people to leave their homes for any purpose. or that they ever contributed one dollar to that end, is utterly untrue, and there is absolutely nothing in the testimony to sustain such a charge. Their purposes and objects were purely charitable. They found a race of wretched, miserable people flying from oppression and wrong, and they sought to relieve their distress. The refugees were hungry, and they fed them; in rags, and they clothed them; homeless and they sheltered them; destitute, and they found employment for them—only this and nothing more.

The real origin of the exodus movement and the organizations at the South which have promoted it are very clearly stated by the witnesses who have been most active in regard to it.

Henry Adams, of Shreveport, Louisiana, an uneducated colored laborer, but a man of very unusual natural abilities, and, so far as the committee could learn, entirely reliable and truthful, states that he entered the United States Army in 1866 and remained in it until 1869; that when he left the Army he returned to his former home at Shreveport, and, finding the condition of his race intolerable, he and a number of other men who had aiso been in the Army set themselves to work to better the condition of their people.

In 1870—

He says—

a parcel of us got together and said we would organize ourselves into a committee and look into affairs and see the true condition of our race, to see whether it was possible we could stay under a people who held us in bondage or not.

That committee increased until it numbered about five hundred, and Mr. Adams says:

Some of the members of the committee was ordered by the committee to go into every State in the South where we had been slaves, and post one another from time to time about the true condition of our race, and nothing but the truth.

answer to the question whether they traveled over various States
id:

, sir; and we worked, some of us, worked our way from place to place, and went State to State and worked—some of them did—amongst our people, in the fields, where, to see what sort of a living our people lived—whether we could live in outh amongst the people that held us as slaves or not. We continued that on 74.

ery one paid his own expenses, except the one we sent to Louisiana and Missis-. We took money out of our pockets and sent him, and said to him you must now work. You can't find out anything till you get amongst them. You can talk as as you please, but you have got to go right into the field and work with them deep with them to know all about them.

nink about one hundred or one hundred and fifty went from one place or another.

What was the character of the information that they gave you?—A. Well, the ter of the information they brought to us was very bad, sir.

* * * * * * *

Do you remember any of these reports that you got from members of your com-e?—A. Yes, sir; they said in several parts where they was that the land rent still higher there in that part of the country than it was where we first organized d the people was still being whipped, some of them, by the old owners, the men had owned them as slaves, and some of them was being cheated out of their just the same as they was there.

Was anything said about their personal and political rights in these reports as to they were treated?—A. Yes; some of them stated that in some parts of the country e they voted they would be shot. Some of them stated that if they voted the cratic ticket they would not be injured.

Now, let us understand more distinctly, before we go any further, the kind of peo-ho composed that association. The committee, as I understand you, was com-l entirely of laboring people?—A. Yes, sir.

Did it include any politicians of either color, white or black?—A. No politicianers t belong to it, because we didn't allow them to know nothing about it, because as afraid that if we allowed the colored politicianer to belong to it he would tell he Republican politicianers, and from that the men that was doing all this to us l get hold of it too, and then get after us.

* * * * * * *

About what time did you lose all hope and confidence that your condition could erable in the Southern States?—A. Well, we never lost all hopes in the world till

Why did you lose all hope in that year?—A. Well, we found ourselves in such ion that we looked around and we seed that there was no way on earth, it seemed, re could better our condition there, and we discussed that thoroughly in our ization in May. We said that the whole South—every State in the South—had to the hands of the very men that held us slaves—from one thing to another—e thought that the men that held us slaves was holding the reins of government ur heads in every respect almost, even the constable up to the governor. We e had almost as well be slaves under these men. In regard to the whole matter as discussed it came up in every council. Then we said there was no hope for l we had better go.

You say, then, that in 1877 you lost all hope of being able to remain in the South, ou began to think of moving somewhere else?—A. Yes; we said we was going if d to run away and go into the woods.

About how many did this committee consist of before you organized your coun-Give us the number as near as you can tell.—A. As many as five hundred in all.

The committee, do you mean?—A. Yes; the committee has been that large.

What was the largest number reached by your colonization council, in your best nent?—A. Well, it is not exactly five hundred men belonging to the council that ve in our council, but they all agreed to go with us and enroll their names with n time to time, so that they have now got at this time ninety-eight thousand enrolled.

Then through that council, as sort of subscribers to its purpose and acts and for ng out its objects, there were ninety-eight thousand names?—A. Yes; ninety-thousand names enrolled.

In what parts of the country were these ninety-eight thousand people scattered? Well, some in Louisiana—the majority of them in Louisiana—and some in Texas, me in Arkansas. We joins Arkansas.

Were there any in Mississippi?—A. Yes, sir; a few in Mississippi.

And a few in Alabama?—A. Yes, sir; a few in Alabama, too.

Did the organization extend at all into other States farther away?—A. O, yes, sir.

Q. Have you members in all the Southern States?—A. Not in every one, but in a great many of the others.

Q. Are these members of that colonization council in communication as to the condition of your race, and as to the best thing to be done to alleviate their troubles?—A. O, yes.

Q. What do you know about inducements being held out from politicians of the North, or from politicians anywhere else, to induce these people to leave their section of country and go into the Northern or Western States?—A. There is nobody has written letters of that kind, individually—not no white persons, I know, not to me, to induce anybody to come.

Q. Well, to any of the other members of your council?—A. No, I don't think to any of the members. If they have, they haven't said nothing to me about it.

It appears also from the evidence of Samuel L. Perry, of North Carolina, a colored man, who accompanied most of the emigrants from that State to Indiana, and who had more to do with the exodus from that quarter than any other man, that the movement had its origin as far back as 1872, as the following questions and answers will show:

Q. You have heard a good deal of this testimony with reference to this exodus from North Carolina. Now begin at the beginning and tell us all you know about it.—A. Well, the beginning, I suppose, was in this way: The first idea or the first thing was, we used to have little meetings to talk over these matters. In 1872 we first received some circulars or pamphlets from O. F. Davis, of Omaha, Nebraska.

Q. In 1872?—A. Yes, sir; in 1872—giving a description of government lands and railroads that could be got cheap; and we held little meetings then; that is, we would meet and talk about it Sunday evenings—that is, the laboring class of our people—the only ones I knew anything about; I had not much to do with the big professional negroes, the rich men. I did not associate with them much, but I got among the workingmen, and they would take these pamphlets and read them over.

Mr. Perry says that the feeling in favor of migrating subsided somewhat, but sprung up again in 1876. From that time down to 1879 there were frequent consultations upon the subject, much dissatisfaction expressed respecting their condition, and a desire to emigrate to some part of the West. He says about "that time I was a subscriber to the New York Herald, and from an article in that paper the report was that the people were going to Kansas, and we thought we could go to Kansas too; that we could get a colony to go West. That was last spring. We came back and formed ourselves into a colony of some hundred men." They did not, however, begin their westward movements until the fall of 1879, when it being ascertained by the railroad companies that a considerable number of people were proposing to migrate from North Carolina to the West, several railroad companies, notably the Baltimore and Ohio, offered to certain active and influential colored men $1 per head for all the passengers they could procure for the respective competing lines.

By reference to the evidence, part 3, page 136, it will be seen that the emigration movement in Alabama originated as far back as the year 1871, when an organization of colored people, called the State Labor Union, delegated Hon. George F. Marlow to visit Kansas, and other parts of the West, for the purpose of examining that country and reporting back to a future convention his views as to the expediency of removing thereto. A convention of colored people was held again in 1872, at which Mr. Marlow made the following glowing report of the condition of things in Kansas and the inducements that State offered to the colored people. He said:

In August, 1871, being delegated by your president for the purpose, I visited the State of Kansas, and here give the results of my observations, briefly stated.

It is a new State, and as such possesses many advantages over the old.

It is much more productive than most other States.

What is raised yields more profit than elsewhere, as it is raised at less expense.

The weather and roads enable you to do more work here than elsewhere.

The climate is mild and pleasant.

Winters short and require little food for stock.

Fine grazing country; stock can be grazed all winter.

The population is enterprising, towns and villages spring up rapidly, and great profits arise from *all* investments.

Climate dry, and land free from swamps.

The money paid to doctors in less healthy regions can here be used to build up a house.

People quiet and orderly, schools and churches to be found in every neighborhood, and ample provision for free schools is made by the State.

Money plenty, and what you raise commands a good price.

Fruits of all kinds easily grown and sold at large profits.

Railroads are being built in every direction.

The country is well watered.

Salt and coal are plentiful.

It is within the reach of every man, no matter how poor, to have a home in Kansas. The best lands are to be had at from $2 to $10 an acre, *on time*. The different railroads own large tracts of land, and offer liberal inducements to emigrants. You can get good land in some places for $1.25 an acre. The country is mostly open prairie, level, with deep, rich soil, producing from forty to one hundred bushels of corn and wheat to the acre. The corn grows about eight or nine feet high, and I never saw better fruit anywhere than there.

The report was adopted.

The feeling of the colored people in that State in 1872 was well expressed by Hon. Robert H. Knox, of Montgomery, a prominent colored citizen, who, in addressing the convention, spoke as follows:

I have listened with great attention to the report of the commissioner appointed by authority of the State Labor Union to visit Kansas, and while I own the inducements held out to the laboring man in that far-off State are much greater than those enjoyed by our State, I yet would say let us rest here awhile longer; let us trust in God, the President, and Congress to give us what is most needed here, personal security to the laboring masses, the suppression of violence, disorder, and kukluxism, the protection which the Constitution and laws of the United States guarantee, and to which as citizens and men we are entitled. Failing in these, it is time then, I repeat, to desert the State and seek homes elsewhere where there may be the fruition of hopes inaugurated when by the hand of Providence the shackles were stricken from the limbs of four million men, where there may be enjoyed in peace and happiness by your own fireside the earnings of your daily toil.

Benjamin Singleton, an aged colored man, now residing in Kansas, swears that he began the work of inducing his race to migrate to that State as early as 1869, and that he has brought mainly from Tennessee, and located in two colonies—one in Cherokee County, and another in Lyons County, Kansas—a total of 7,432 colored people. The old man spoke in the most touching manner of the sufferings and wrongs of his people in the South, and in the most glowing terms of their condition in their new homes; and when asked as to who originated the movement, he proudly asserted, "I am the father of the exodus." He said that during these years since he began the movement he has paid from his own pocket over $600 for circulars, which he has caused to be printed and circulated all over the Southern States, advising all who can pay their way to come to Kansas. In these circulars he advised the colored people of the advantages of living in a free State, and told them how well the emigrants whom he had taken there were getting on. He says that the emigrants whom he has taken to Kansas are happy and doing well. The old man insists with great enthusiasm that he is the "whole cause of the Kansas immigration," and is very proud of his achievement.

Here, then, we have conclusive proof from the negroes themselves that they have been preparing for this movement for many years. Organizations to this end have existed in many States, and the agents of such organizations have traveled throughout the South. One of these organizations alone kept one hundred and fifty men in the field for years, traveling among their brethren and secretly discussing this among other

means of relief. As stated by Adams and Perry, politicians were excluded, and the movement was confined wholly to the working classes.

The movement has doubtless been somewhat stimulated by circulars from railroad companies and State emigration societies which have found their way into the South, but these have had comparatively little effect. The following specimen of these emigration documents, which was gotten up and circulated by Indiana Democrats, printed at a Democratic printing office, and written by a Democrat, in our judgment appeals more strongly to the imagination and wants of the negro than any we have been able to find:

In every county of the State there is an asylum where those who are unable to work and have no means of support are cared for at the public expense.

Laborers who work by the month or by the year make their own contract with the employer, and all disputes subsequently arising are settled by legal processes in the proper courts, *everybody being equal before the law in Indiana.* The price of farm labor has varied considerably in the last twenty years. *About* $16 *per month may be assumed as about the average per month, and this is understood to include board and lodging at the farm-house.* This amount is *paid in current money at the end of each month*, unless otherwise stipulated in the contract. Occasionally a tenement house is found on the larger farms, where a laborer lives with his family, and either rents a portion of the farm or cultivates it on special contract with the landlord. *With us there is no class of laborers as such. The young man who to-day may be a hired laborer at monthly wages, may in five years from now be himself a proprietor, owning the soil he cultivates and paying wages to laborers. The upward road is open to all*, and its highest elevation is attainable by industry, economy, and perseverance.

Sixteen dollars per month, with board! Everybody equal before the law! No class of laborers as such! The hired man of to-day himself the owner of a farm in five years! No cheating of tenants, but everything paid in current money. And if all this will not attract the negro he is told there is an "asylum in every county" to which he can go when unable to support himself. The document also promises to everybody "free schools" in "brick or stone school-houses," and says they have "$2,000,000 greater school fund than any State in the Union." These Democratic documents have been circulated by the thousand, and doubtless many of them have found their way into the negro cabins of North Carolina. It is not surprising that the negro looks with longing eyes to that great and noble State.

CAUSES OF THE EXODUS.

There is surely some adequate cause for such a movement. The majority of the committee have utterly failed to find it, or, if found, to recognize it. When it was found that any of their own witnesses were ready to state causes which did not accord with their theory they were dismissed without examination, as in the cases of Ruby and Stafford, and a half dozen others who were brought from Kansas, but who on their arrival here were found to entertain views not agreeable to the majority.

We regret that a faithful and honest discussion of this subject compels a reference to the darkest, bloodiest, and most shameful chapter of our political history. Gladly would we avoid it, but candor compels us to say that the volume which shall faithfully record the crimes which, in the name of Democracy, have been committed against the citizenship, the lives, and the personal rights of these people, and which have finally driven them in utter despair from their homes, will stand forever without a parallel in the annals of Christian civilization. In discussing these sad and shameful events, we wish it distinctly understood that we do not arraign the whole people nor even the entire Democratic party

of the States in which they have occurred. The colored and other witnesses all declare that the lawlessness from which they have suffered does not meet the approval of the better class of Democrats at the South. They are generally committed by the reckless, dissolute classes who unfortunately too often control and dominate the Democratic party and dictate its policy. We have no doubt there are many Democrats in the South who deeply regret this condition of things, and who would gladly welcome a change, but they are in a helpless, and we fear a hopeless, minority in many sections of that country.

The unfortunate and inexcusable feature of the case is that, however much they may deplore such lawlessness, they have never, so far as we can learn, declined to accept its fruits. They may regret the violence and crimes by which American citizens are prevented from voting, but they rejoice in the Democratic victories which result therefrom. So long as they shall continue thus to accept the fruits of crime, the criminals will have but little fear of punishment or restraint, and the lawless conduct which is depopulating some sections of their laboring classes will go on. There is another unfortunate feature of this matter. So long as crimes against American citizenship shall continue to suppress Republican majorities, and to give a "solid South" to the Democracy, there will be found enough Democrats at the North who will shut their eyes to the means by which it is accomplished, and seek to cover up and excuse the conduct of their political partisans at the South.

This is well illustrated by the report of the majority of the committee. In the presence of most diabolic outrages clearly proven; in the face of the declaration of thousands of refugees that they had fled because of the insecurity of their lives and property at the South, and because the Democratic party of that section had, by means too shocking and shameful to relate, deprived them of their rights as American citizens; in the face of the fact that it has been clearly shown by the evidence that organizations of colored laborers, one of which numbered ninety-eight thousand, have existed for many years and extending into many States of the South, designed to improve their condition by emigration—in the face of all these facts the majority of the committee can see no cause for the exodus growing out of such wrongs, but endeavor to charge it to the Republicans of the North.

In view of this fact, it is our painful duty to point out some of the real causes of this movement. It is, however, quite impossible to enumerate all or any considerable part of the causes of discontent and utter despair which have finally culminated in this movement. To do so would be to repeat a history of violence and crime which for fifteen years have reddened with the blood of innocent victims many of the fairest portions of our country; to do so would be to read the numberless volumes of sworn testimony which have been carefully corded away in the crypt and basement of this Capitol, reciting shocking instances of crime, crying from the ground against the perpetrators of the deeds which they record. The most which we can hope to do within the limits of this report is to present a very few facts which shall be merely illustrative of the conditions which have driven from their homes and the graves of their fathers an industrious, patient, and law-abiding people, whom we are bound by every obligation of honor and patriotism to protect in their personal and political rights and privileges.

We begin with the State of North Carolina because the migration from that State has been comparatively insignificant, and also because the conditions there are more favorable to the colored race than in any of

the other cotton States of the South. Owing to the lack of funds, and to the time employed in the examination of witnesses called by the majority, the Republican members of the committee summoned no witnesses from the State of North Carolina, and were obliged to content themselves with such facts as could be obtained from one or two persons who happened to be in this city, and such other facts as were brought out upon cross-examination of the witnesses called by the other side. By the careful selection of a few well-to-do and more fortunate colored men from that State, the majority of the committee secured some evidence tending to show that a portion of the negroes of North Carolina are exceptionally well treated and contented, and yet upon cross-examination of their own witnesses facts were disclosed which showed that, even there, conditions exist which are ample to account for the migration of the entire colored population.

There are three things in that State which create great discontent among the colored people: First, the abridgment of their rights of self-government; second, their disadvantages as to common schools; third, discriminations against them in the courts; and, fourth, the memory of Democratic outrages. Prior to Democratic rule the people of each county elected five commissioners, who had supervision over the whole county, and who chose the judges of elections. The Democrats changed the constitution so as to take this power from the people, and gave to the general assembly authority to appoint these officers. This they regard not only as practically depriving them of self-government, but, as stated by one of the witnesses, Hon. R. C. Badger, as placing the elections, even in Republican townships, wholly under the control of the Democrats, who thereby "have the power to count up the returns and throw out the balance for any technicality, exactly as Garcelon & Co. did in Maine." This creates much dissatisfaction, because they believe they are cheated out of their votes. The negro values the ballot more than anything else, because he knows that it is his only means of defense and protection. A law which places all the returning boards in the hands of his political opponents necessarily and justly produces discontent.

Next to the ballot the negro values the privileges of common schools, for in them he sees the future elevation of his race. The prejudice even in North Carolina against white teachers of colored schools seems to have abated but little since the war. Mr. Badger, when cross-examined on this point, said:

Q. Is there any prejudice still remaining there against white teachers of colored schools?—A. I think there is.

Q. Will you explain it?—A. I cannot explain it, except by the prejudices between the races.

Q. You mean, white persons teaching a colored school lose social status?—A. Yes, sir.

Q. Now, a white lady who comes from the North and teaches a colored school, to what extent is she tabooed?—A. I don't think she would have any acquaintances in white society.

Q. Would she be any quicker invited into white society than a colored woman?—A. Just about the same.

This fact contains within itself a volume of testimony. It shows that the negro is still regarded as a sort of social and political pariah, whom no white person may teach without incurring social ostracism and being degraded to the level of the social outcast he or she would elevate in the scale of being. Is it surprising that the negro is dissatisfied with his condition and desires to emigrate to some country where his children may hope for better things?

The most serious complaints, however, which are made against the

treatment of colored citizens of North Carolina is that justice is not fairly administered in the courts as between themselves and the whites. On this point the evidence of Mr. R. C. Badger reveals a condition of things to which no people can long submit. Here is his illustration of the manner in which justice is usually meted out as between the negroes and the whites:

Q. How about the discrimination in the courts as between the whites and blacks?—A. That is principally in matters of larcency. In such cases the presumption is reversed as to the negro. A white man can't be convicted without the fullest proof, and with the negroes, in matters between themselves, such as assault and battery, they get as fair a trial as the whites. At the January term of our court Judge Avery presided. A white man and a colored woman were indicted for an affray. The woman was in her husband's barn getting out corn; they were going to move, and the white man came down there and said, "You seem to have a good time laughing here this morning," and she said, yes, she had a right to laugh. He said, "You are getting that corn out, and you would have made more if you had stuck to your husband." She seemed to be a sort of termagant, and she said nobody said that about her unless you told them. He made some insulting remark, and she made something in return to him, and he took a billet of wood and struck her on the shoulder, and he pulled a pistol and beat her with it, and she went for him to kill him. *They found the man not guilty and they found her guilty*, but Judge Avery set the verdict aside and ordered the case *nolle prossed* against her.

Q. Do you think that is a fair sample of the justice they get?—A. Yes, sir.

Q. Do you think they will convict a colored woman in order to get a chance to turn loose a white man?—A. Yes, sir.

Mr. Badger was not our witness. He was called by the majority, but he is a gentleman of high character, the son of an ex-member of this body, and thoroughly acquainted with the condition of things in his State. He puts the case just mentioned as a "fair sample" of North Carolina justice toward the negro. It is true the judge set aside the verdict, but this does not change the fact that before a North Carolina jury the negro has but little hope of justice.

Back of all these things lies the distrust of Democracy which was inspired during the days when the "Kuklux," the "White Brotherhood," the "Universal Empire," and the "Stonewall Guard" spread terror and desolation over the State in order to wrest it from Republicanism to Democracy. The memory of those dark days and bloody deeds, the prejudice which still forbids white ladies to teach colored schools, and denies "even-handed justice" in the courts, and the usurpations which place the returning boards all in the hands of Democrats, have inspired a feeling of discontent which has found expression in the efforts of a few to leave the State. These facts, taken in connection with the bonus of one dollar per head offered by the Baltimore and Ohio Railroad Company (a Democratic corporation represented by a Democratic agent) to leading colored men who would secure passengers for their road, has led to the emigration of some seven or eight hundred colored people from that State, and the only wonder is that thousands instead of hundreds have not gone.

LOUISIANA AND MISSISSIPPI.

The States of Louisiana and Mississippi have furnished the larger portion of the migration to Kansas, and as the conditions which caused the exodus are the same in both of these States, we may speak of them together. No single act of wrong has inspired this movement, but a long series of oppression, injustice, and violence, extending over a period of fifteen years. These people have been long-suffering and wonderfully patient, but the time came when they could endure it no longer and they resolved to go. We can convey no adequate idea of what they endured

before adopting this desperate resolve, but will mention a few facts drawn from well authenticated history, from sworn public documents, and from the evidence taken by the Exodus Investigating Committee. Writing under date of January 10, 1875, General P. H. Sheridan, then in command at New Orleans, says:

> Since the year 1866 nearly thirty-five hundred persons, a great majority of whom were colored men, have been killed and wounded in this State. In 1868 the official record shows that eighteen hundred and eighty-four were killed and wounded. From 1868 to the present time no official investigation has been made, and the civil authorities in all but a few cases have been unable to arrest, convict, or punish the perpetrators. Consequently there are no correct records to be consulted for information. There is ample evidence, however, to show that more than twelve hundred persons have been killed and wounded during this time on account of their political sentiments. Frightful massacres have occurred in the parishes of Bossier, Caddo, Catahoula, Saint Bernard, Saint Landry, Grant, and Orleans.

He then proceeds to enumerate the political murders of colored men in the various parishes, and says:

> Human life in this State is held so cheaply that when men are killed on account of political opinions, the murderers are regarded rather as heroes than criminals in the localities where they reside.

This brief summary is not by a politician, but by a distinguished soldier, who recounts the events which have occurred within his own military jurisdiction. Volumes of testimony have since been taken confirming in all respects General Sheridan's statement, and giving in detail the facts relating to such murders, and the times and circumstances of their occurrence. The results of the elections which immediately followed them disclose the motives and purposes of their perpetrators. These reports show that in the year 1868 a reign of terror prevailed over almost the entire State. In the parish of Saint Landry there was a massacre of colored people which began on the 28th of September, 1868, and lasted from three to six days, during which between two and three hundred colored men were killed. "Thirteen captives were taken from the jail and shot, and a pile of twenty-five dead bodies were found burned in the woods." The result of this Democratic campaign in the parish was that the registered Republican majority of 1,071 was wholly obliterated, and, at the election which followed a few weeks later not a vote was cast for General Grant, while Seymour and Blair received 4,787.

In the parish of Bossier a similar massacre occurred between the 20th and 30th of September, 1868, which lasted from three to four days, during which two hundred colored people were killed. By the official registry of that year the Republican voters in Bossier Parish numbered 1,938, but at the ensuing election only *one* Republican vote was cast.

In the parish of Caddo during the month of October, 1868, over forty colored people were killed. The result of that massacre was that out of a Republican registered vote of 2,894 only one was cast for General Grant. Similar scenes were enacted throughout the State, varying in extent and atrocity according to the magnitude of the Republican majority to be overcome.

The total summing-up of murders, maimings, and whippings which took place for political reasons in the months of September, October and November, 1868, as shown by official sources, is over one thousand. The net political results achieved thereby may be succinctly stated as follows: The official registration for that year in twenty-eight parishes contained 47,923 names of Republican voters, but at the Presidential election, held a few weeks after the occurrence of these events, but 5,360 Republican votes were cast, making the net Democratic gain from said transactions 42,563.

In nine of these parishes where the reign of terror was most prevalent. out of 11,604 registered Republican votes only 19 were cast for General Grant. In seven of said parishes there were 7,253 registered Republican votes but not one was cast at the ensuing election for the Republican ticket.

In the years succeeding 1868, when some restraint was imposed upon political lawlessness and a comparatively peaceful election was held, these same Republican parishes cast from 33,000 to 37,000 Republican votes, thus demonstrating the purpose and the effects of the reign of murder in 1868. In 1876 the spirit of violence and persecution which, in parts of the State, had been partially restrained for a time, broke forth again with renewed fury. It was deemed necessary to carry that State for Tilden and Hendricks, and the policy which had proved so successful in 1868 was again invoked and with like results. On the day of general election in 1876 there were in the State of Lonisiana 92,996 registered white voters and 115,310 colored, making a Republican majority of the latter of 22,314. The number of white Republicans was far in excess of the number of colored Democrats. It was, therefore, well known that if a fair election should be held the State would go Republican by from twenty-five to forty thousand majority. The policy adopted this time was to select a few of the largest Republican parishes and by terrorism and violence not only obliterate their Republican majorities, but also intimidate the negroes in the other parishes. The sworn testimony found in our public documents and records shows that the same system of assassinations, whippings, burnings, and other acts of political persecution of colored citizens which had occurred in 1868 was again repeated in 1876 and with like results.

In fifteen parishes where 17,726 Republicans were registered in 1876 only 5,758 votes were cast for Hayes and Wheeler, and in one of them (East Feliciana) where there were 2,127 Republicans registered but 1 Republican vote was cast. By such methods the Republican majority of the State was supposed to have been effectually suppressed and a Democratic victory assured. And because the legally constituted authorities of Louisiana, acting in conformity with law and justice, declined to count some of the parishes thus carried by violence and blood the Democratic party, both North and South, has ever since complained that it was fraudulently deprived of the fruits of victory, and it now proposes to make this grievance the principal plank in the party platform.

On the 6th of December, 1876, President Grant in a message to Congress transmitted the evidence of these horrible crimes against the colored race, committed in the name and in the interest of the Democracy. They are not mere estimates nor conjectures, but the names of the persons murdered, maimed, and whipped, and of the perpetrators of the crimes, the places where they occurred, and the revolting circumstances under which they were committed, are all set forth in detail. This shocking record embraces a period of eight years, from 1868 to 1876, inclusive, and covers ninety-eight pages of fine type, giving an average of about one victim to each line. We have not counted the list, but it is safe to say that it numbers over four thousand.

These crimes did not end in 1876 with the accession of the Democracy to control of the State administration. The witnesses examined by your committee gave numerous instances of like character which occurred in 1878. Madison Parish may serve as an illustration. This parish, which furnished perhaps the largest number of refugees to Kansas, had been exceptionally free from bulldozing in former years. William Murrell,

one of the witnesses called by the committee, states the reasons for the exodus from that parish as follows:

You have not read of any exodus yet as there will be from that section this summer, and the reason for it is that, for the first time since the war in Madison Parish, last December we had bulldozing there. Armed bodies of men came into the parish—not people who lived in the parish, but men from Ouachita Parish and Richland Parish; and I can name the leader who commanded them. He was a gentleman by the name of Captain Tibbals, of Ouachita Parish, who lives in Monroe, who was noted in the celebrated massacre there in other times. His very name among the colored people is sufficient to intimidate them almost. He came with a crowd of men on the 28th of December into Madison Parish, when all was quiet and peaceable. There was no quarrel, no excitement. We had always elected our tickets in the parish, and we had put Democrats on the ticket in many cases to satisfy them. There were only 238 white voters and about 2,700 colored registered voters.

Mr. Murrell says that David Armstrong, who was president of the third ward Republican club, a man who stood high in the community, and against whom no charge was made except that of being a Republican, made the remark:

"What right have these white men to come here from Morehouse Parish, and Richland Parish, and Franklin Parish to interfere with our election?" And some white men heard of it and got a squad by themselves and said, "We'll go down and give that nigger a whipping." So Sunday night, about ten o'clock, they went to his house to take him out and whip him. They saw him run out the back way and fired on him. One in the crowd cried out, "Don't kill him!" "It is too late, now," they said, "he's dead." The Carroll Conservative, a Democratic newspaper, published the whole thing; but the reason they did it was because we had one of their men on our ticket as judge, and they got sore about it, and we beat him. They killed Armstrong and took him three hundred yards to the river, in a sheet, threw him in the river, and left the sheet in the bushes.

Proceeding with the account of that transaction, Mr. Murrell swears that the colored people had heard that the bulldozers were coming from the surrounding parishes, and that he and others called on some of the leading Democrats in order to prevent it, but all in vain. He says:

We waited on Mr. Holmes, the clerk of the court, and we said to him, "Mr. Holmes, it is not necessary to do any bulldozing here; you have the counting machinery all in your hands, and we would rather be counted out than bulldozed; can't we arrange this thing?" I made a proposition to him and said, "You know I am renominated on the Republican ticket, but I will get out of the way for any moderate Democrat you may name, to save the State and district ticket. We will not vote for your State ticket; you cannot make the colored people vote the State ticket; but if you will let us have our State ticket we will give you the local offices." We offered them the clerk of the court, not the sheriff, and the two representatives. We told him we would not give them the senator, but the district judge and attorney. After this interview Holmes sent us to Dr. Askew, ex-chairman of the Democratic committee, and he said to me, "Now, Murrell, there is no use talking, I advise you to stand from under. When these men get in here we can't control them. We like you well enough and would not like to see you hurt. I will see you to-night at Mr. Holmes's." We had an interview with Mr. Holmes and made this proposition, and Holmes asked me this question: "Murrell, you know damned well the niggers in this parish won't vote the Democratic ticket—there is no use to tell me you will give us the clerk of the court, you know the niggers won't do it. You can't trust the niggers in politics; all your eloquence and all the speeches you can make won't make these niggers vote this ticket or what you suggest, even if we was to accept it. No, by God, Murrell, there's no use talking, we are going to carry this parish; we have found a way to carry it. There ain't no use talking any more about it. *No, by God, we are going to carry it.* Why," he said, "*there is more eloquence in double-barreled shot-guns to convince niggers than there is in forty Ciceros.*" I said to him, "Well, do you suppose the merchants and planters will back you up," and he said, "O, by God, they have got nothing to do with it. We have charge of it. *We three men, the Democratic committee, have full power to work.*"

The result of this "work" was, as stated by the witness, and not disputed by any one before the committee, that in this parish, containing 2,700 registered Republican voters, and only 238 Democrats, the Demo-

crats returned a majority of 2,300. The witness, who was a candidate on the Republican ticket, swears that not more than 360 votes were cast. Democratic shot-gun eloquence did its "work," as prophesied by Mr. Askew, ex-chairman of the Democratic committee, but it also served as a wonderful stimulus to migration from Madison Parish.

We cite this case for two reasons: First, because it has been said that the negroes have not emigrated from bulldozed parishes; and, secondly, because it serves as an illustration of the many similar cases which were given to the committee.

We desire also to invite attention to the evidence of Henry Adams, a colored witness from Shreveport, La. Adams is a man of very remarkable energy and native ability. Scores of witnesses were summoned by the majority of the committee from Shreveport, but none of them ventured to question his integrity or truthfulness. Though a common laborer, he has devoted much of his time in traveling through Louisiana, Mississippi, and Texas, working his way and taking notes of the crimes committed against his race. His notes, written in terse and simple language, embraced the names of six hundred and eighty-three colored men who have been whipped, maimed, or murdered within the last eight years, and his statement of these crimes covers thirty-five pages of closely printed matter in the report. We are sure no one can read it without a conviction of its truthfulness and a feeling of horror at the barbarous details he relates. Adams is the man who has organized a colonization council, composed of laboring colored people, and rigidly excluding politicians, which numbers ninety-eight thousand who have enrolled themselves with a view to emigration from that country as early as possible. He details the character and the purpose of the organization and the efforts it has made to obtain relief and protection for its members. "First," he says, "we appealed to the President of the United States to help us out of our distress, to protect us in our rights and privileges. Next, we appealed to Congress for a territory to which we might go and live with our families. Failing in that," says he, "our other object was to ask for help to ship us all to Liberia, Africa, somewhere where we could live in peace and quiet. If that could not be done," he adds, "*our idea was to appeal to other governments outside of the United States to help us to get away from the United States and go and live where under their flag.*" What a commentary upon our own boasted equality and freedom! Finding no relief in any direction, they finally resolved to emigrate to some of the Northern States. He says they had some hope of securing better treatment at home until 1877, when "we lost all hopes and determined to go anywhere on God's earth, we didn't care where; we said we was going if we had to run away and go to the woods." Perhaps we can best summarize the condition of affairs in Louisiana, and the causes of the exodus from that State, as the negroes themselves regarded them, by quoting a brief extract from the report of the business committee to the colored State convention held in New Orleans on the 21st of April, 1879:

NEW ORLEANS, *April* 21, 1879.

MR. PRESIDENT: Your committee on business have the honor to submit this their final report. Discussing the general and widespread alarm among the colored people of Louisiana, including so potent a fear that in many parishes, and in others perhaps largely to follow, there is an exodus of agricultural labor which indicates the prostration and destruction of the productive, and therefore essentially vital, interests of the State. *The Committee find that the primary cause of this lies in the absence of a republican form of government to the people of Louisiana. Crime and lawlessness existing to an extent that laughs at all restraint, and the misgovernment naturally induced from a State adminis-*

tration itself the product of violence, have created an absorbing and constantly increasing distrust and alarm among our people throughout the State. All rights of freemen denied and all claims to a just recompense for labor rendered or honorable dealings between planter and laborer disallowed, justice a mockery, and the laws a cheat, the very officers of the courts being themselves the mobocrats and violators of law, the only remedy left the colored citizen in many parishes of our State to-day is to emigrate. The fiat to go forth is irresistible. The constantly recurring, nay, ever-present, fear which haunts the minds of these our people in the turbulent parishes of the State is that slavery in the horrible form of peonage is approaching; that the avowed disposition of the men in power to reduce the laborer and his interest to the minimum of advantages as freemen and to absolutely none as citizens has produced so absolute a fear that in many cases it has become a panic. It is flight from present sufferings and from wrongs to come.

Here are the reasons for the exodus as stated by the colored people themselves. In view of the facts which we have stated, and of the terrible history which we cannot here repeat, does any one believe their statement of grievances is overdrawn? Is there any other race of freemen on the face of the earth who would have endured and patiently suffered as they have? Is there any other government among civilized nations which would have permitted such acts to be perpertrated against its citizens?

We will not dwell upon the conditions which have driven these people from Mississippi. It would be but a repetition of the intolerance, persecutions, and violence which have prevailed in Louisiana. The same Democratic "shot-gun eloquence" which was so potent for the conversion of colored Republicans in the one has proven equally powerful in the other. The same "eloquence" which wrested Louisiana from Republicans also converted Mississippi. And in both the same results are visible in the determination of the colored people to get away.

Nearly all the witnesses who were asked as to the causes of the exodus answered that it was because of a feeling of insecurity for life and property; a denial of their political rights as citizens; long-continued persecutions for political reasons; a system of cheating by landlords and storekeepers which rendered it impossible for them to make a living no matter how hard they might work; the inadequacy of school advantages, and a fear that they would be eventually reduced to a system of peonage even worse then slavery itself.

On the latter point they quoted the laws of Mississippi, which authorize a justice's court to inflict heavy fines for the most trival offenses, and authorize the sheriff to hire the convicts to planters and others for twenty-five cents a day to work out the fine and cost, and which provide that for every day lost from sickness he shall work another to pay for his board while sick. Under these laws they allege that a colored man may be fined $500 for some trifling misdemeanor, and be compelled to work five or six years to pay the fine; and that it is not uncommon for colored men thus hired out to be worked in a chain-gang upon the plantations under overseers, with whip in hand, precisely as in the days of slavery. And some of the witnesses declared that if an attempt be made to escape they are pursued with blood-hounds, as before the war.

Henry Ruby, a witness summoned by the majority of the committee, swore that in Texas, under a law similar to that in Mississippi, a colored man had been arrested for carrying a "six-shooter" and fined $65, including costs, and that he had been at work nearly three years to pay it. The laws of that State do not fix the rate for hiring, but "county convicts" may be hired at any price the county judge may determine. He mentioned the case of a colored woman who was hired out for a quarter of a cent per day. Describing this process of hiring, he says:

They call these people county convicts, and if you have got a farm you can go and hire them out of the jail. They have got that system, and the colored men object to

it. I know some of these men who have State convicts that they hire and they work them under shotguns. A farmer hires so many of the State, and they are under the supervision of a sergeant with a gun and nigger-hounds, to run them with if they get away. They hire them and put them in the same gang with the striped suit on, and, if they want, the guard can bring them down with his shotgun. Then they have these nigger-hounds, and if one of them gets off and they can't find him they take the hounds, and from a shoe, or anything of the kind belonging to the convict, they trail him down.

Q. Are these the same sort of blood-hounds they used to have to run the negroes with?—A. Yes, sir.

These things need no comment. To the negro they are painfully suggestive of slavery. Is it a wonder that he has resolved to go where peonage and blood-hounds are unknown?

Several witnesses were called from Saint Louis and Kansas, who had conversed with thousands of the refugees, and who swore that they all told the same story of injustice, oppression, and wrong. Upon the arrival of the first boat-loads at Saint Louis, in the early spring of 1879, the people of that city were deeply moved by the evident destitution and distress which they presented, and thousands of them were interviewed as to the causes which impelled them to leave their homes at that inclement season of the year. In the presence of these people, and with a full knowledge of their condition and of the causes of their flight, a memorial to Congress was prepared, and signed by a large number of the most prominent and respectable citizens of Saint Louis, embracing such names as Mayor Overholtz (a Democrat), Hon. John F. Dillon, judge of the United States circuit court, ex-United States Senator J. B. Henderson, and nearly a hundred other leading citizens, in which the condition and grievances of the refugees are stated as follows:

The undersigned, your memorialists, respectfully represent that within the last two weeks there have come by steamboats up the Mississippi River, from chiefly the States of Louisiana and Mississippi, and landed at Saint Louis, Mo., a great number of colored citizens of the United States, not less than twenty hundred, and composed of men and women, old and young, and with them many of their children.

This multitude is eager to proceed to Kansas, and without exception, so far as we have learned, refuse all overtures or inducements to return South, even if their passage back is paid for them.

The condition of the great majority is absolute poverty; they are clothed in thin and ragged garments for the most part, and while here have been supported to some extent by public, but mostly by private charity.

The older ones are the former slaves of the South; all now entitled to life and liberty.

The weather from the first advent of these people in this Northern city has been unusually cold, attended with ice and snow, so that their sufferings have been greatly increased, and if there was in their hearts a single kind remembrance of their sunny southern homes they would naturally give it expression now.

We have taken occasion to examine into the causes they themselves assign for their extraordinary and unexpected transit, and beg leave to submit herewith the written statements of a number of individuals of the refugees, which were taken without any effort to have one thing said more than another, and to express the sense of the witness in his own language as nearly as possible.

The story is about the same in each instance: great privation and want from excessive rent exacted for land, connected with murder of colored neighbors and threats of personal violence to themselves. The tone of each statement is that of suffering and terror. Election days and Christmas, by the concurrent testimony, seem to have been appropriated to killing the smart men, while robbery and personal violence in one form and another seem to have run the year round.

* * * * * * *

We submit that the great migration of negroes from the South is itself a fact that overbears all contradiction, and proves conclusively that great causes must exist at the South to account for it.

Here they are in multitudes, not men alone, but women and children, old, middle-aged, and young, with common consent leaving their old homes in a natural climate and facing storms and unknown dangers to go to Northern Kansas. Why? Among them all there is little said of hope in the future; it is all of fear in the past. They are not drawn by the attractions of Kansas; they are driven by the terrors of Missis-

sippi and Louisiana. Whatever becomes of them, they are unanimous in their unalterable determination not to return.

There are others coming. Those who have come and gone on to Kansas must suffer even unto death, we fear; at all events more than any body of people entitled to liberty and law, the possession of property, the right to vote, and the pursuit of happiness, should be compelled to suffer under a free government from terror inspired by robbery, threats, assaults, and murders.

We protest against the dire necessities that have impelled this exodus, and against the violation of common right, natural and constitutional, proven to be of most frequent occurrence in places named; and we ask such action at the hands of our representatives and our government as shall investigate the full extent of the causes leading to this unnatural state of affairs and protect the people from its continuance, and not only protect liberty and life, but enforce law and order.

It is intolerable to believe that with the increased representation of the Southern States in Congress those shall not be allowed freely to cast their ballots upon whose right to vote that representation has been enlarged. We believe no government can prosper that will allow such a state of injustice to the body of its people to exist, any more than society can endure where robbery and murder go unchallenged.

The occasion is, we think, a fit one for us to protest against a state of affairs thus exhibited in those parts of the Union from which these negroes come, which is not only most barbarous toward the negro, but is destructive to the constitutional rights of all citizens of our common country.

Accompanying this memorial are numerous affidavits of the refugees fully confirming all its statements.

As to the future of the exodus we can only say that every witness, whose opinion was asked upon this point, declared that it has only begun, and that what we have seen in the past is nothing compared to what is to come, unless there shall be a radical change on the part of Democrats in the South. They say that the negro has no confidence in the Democratic party, and that if a Democratic President shall be elected there will be a general stampede of the colored race.

There is but one remedy for the exodus—fair treatment of the negro. If the better class of white men at the South would retain the colored laborer they must recognize his manhood and his citizenship, and restrain the vicious and lawless elements in ther midst. If Northern Democrats would check the threatened inundation of black labor into their States, they must recognize the facts which have produced the exodus, and unite with us in removing its causes.

We present in conclusion the following brief summary of the results of the investigation:

First. This movement was not instigated, aided, or encouraged by Republican leaders at the North. The only aid they have ever given was purely as a matter of charity, to relieve the distress of the destitute and suffering emigrants who had already come to the North.

Second. Not one dollar has ever been contributed by anybody at the North to bring these people from their homes. On the contrary, the only contributions shown to have been made for such purpose made were by the Baltimore and Ohio Railroad Company, a Democratic corporation, which employed agents to work up the emigration from North Carolina, paying $1 per head therefor.

Third. It is *not* proven that the emigrants are disatisfied in their new homes and wish to return to the South. On the contrary, a standing offer to pay their expenses back to the South has not induced more than about three hundred out of thirty thousand to return.

Fourth. It is *not* proven that there is no demand for their labor at the North, for nearly all those who have come have found employment, and even in Indiana hundreds of applications for them were presented to the committee.

Fifth. It is *not* proven that there is any sufficient reason for the grave political apprehensions entertained in some quarters, for it was shown

by Mr. Dukehart, who sold all the tickets to those who came from North Carolina, that not more than *two hundred voters had gone to Indiana.*

Sixth. The exodus movement originated entirely with the colored people themselves, who for many years have been organizing for the purpose of finding relief in that way, and the colored agents of such organizations have traveled all over the South consulting with their race on this subject.

Seventh. A long series of political persecutions, whippings, maimings, and murders committed by Democrats and in the interest of the Democratic party, extending over a period of fifteen years, has finally driven the negro to despair, and compelled him to seek peace and safety by flight.

Eighth. In some States a system of convict hiring is authorized by law, which reinstates the chain-gang, the overseer, and the blood-hound substantially as in the days of slavery.

Ninth. A system of labor and renting has been adopted in some parts of the South which reduces a negro to a condition but little better than that of peonage, and which renders it impossible for him to make a comfortable living, no matter how hard he may work.

Tenth. The only remedy for the exodus is in the hands of Southern Democrats themselves, and if they do not change their treatment of the negro and recognize his rights as a man and a citizen, the movement will go on, greatly to the injury of the labor interests of the South, if not the whole country.

WILLIAM WINDOM.
HENRY W. BLAIR.

PART I.

PROCEEDINGS

OF THE

SELECT COMMITTEE OF THE UNITED STATES SENATE

TO INVESTIGATE THE CAUSES OF THE

REMOVAL OF THE NEGROES FROM THE SOUTHERN STATES TO THE NORTHERN STATES.

Sessions held at Washington, beginning Monday, January 19, 1880.

EXODUS COMMITTEE.

FIRST DAY.

TESTIMONY OF THOMAS L. TULLOCK.

WASHINGTON, D. C., *Monday, January* 19, 1880.

THOMAS L. TULLOCK sworn and examined.

By the CHAIRMAN:

Question. Please state your name and present residence.—Answer. My name is Thomas L. Tullock; my residence is Washington City.

Q. How long have you lived here?—A. I have lived here about fourteen years.

Q. From what State did you come when you came here?—A. I came here from New Hampshire.

Q. What official position do you hold under the government at this time?—A. I am at present assistant postmaster of the city of Washington; I was formerly, for eight years, collector of internal revenue for the District of Columbia.

Q. Mr. Tullock, I find your name appended to a paper to which I desire to call your attention, and to ask whether it is there by your authority?—A. Yes, sir; that is my name there; all I can say about it is, Mr. Wall called upon me and informed me that I had been appointed one of the auditors of a certain society, an emigrant society, it appeared; but I have not attended any of the meetings of the society and know nothing of its organization or management, any further than that I was told that it was an organization for the purpose of helping needy colored emigrants; but I have never seen any of the emigrants, and know nothing about the matter. I was informed that I was chosen auditor, and that is all.

Q. Do I understand that you never saw this paper before?—A. I have no recollection of ever having seen it.

Q. And were not apprised of its contents?—A. I have not read it; I did not sign it; I would not have signed my name by the designation "honorable." It may be that I inquired something in regard to the organization, but I have not read the paper and did not know the tenor of it.

Q. What was the position that you assumed on Mr. Wall's recommendation?—A. I do not know that I assumed any particular position; he informed me that I was appointed a member of the board of auditors of the Emigrant Aid Society.

Q. What were the duties of that office?—A. I presume that in any expenditure that might be made the auditor would have to examine the accounts, and certify to their correctness.

Q. How long ago was this information conveyed to you by Mr. Wall, that you had been appointed a member of the board of auditors?—A. It was perhaps two or threee months ago—some little time before these

people, these colored emigrants, came to this city. I could not speak definitely as to the exact time.

Q. Did you perform any duties as member of the board of auditors?—A. I did not, with this exception: on two or three occasions Mr. Wall brought me orders on the treasurer for me to sign—to authorize the treasurer to advance some money for the purchase of tickets for certain emigrants. That is all the official duty I have ever performed.

Q. To whom were these orders addressed?—A. To the treasurer of the society.

Q. Who was the treasurer of the society?—A. The orders were addressed to Mr. A. M. Clapp; he was the treasurer.

Q. Do you remember the sums of money that you authorized him to advance?—A. I could not state definitely; I think I have signed three orders.

Q. Have you an idea of the amount or the approximate amount of each of these orders?—A. I could not state definitely; I think perhaps they amounted to $400 in all.

Q. At what time were these orders given?—A. I could not state definitely; within the last six weeks, I think.

Q. Have you any knowledge as to what source that money was derived from—that fund on which you drew?—A. I have no knowledge further than that a collection was taken up in the church with which I am connected to aid the emigrants. They received about thirty or forty dollars from that source.

Q. What church is that?—A. The Metropolitan Methodist Episcopal Church of this city. Probably there were collections taken up in the other churches; I have understood there were.

Q. Was that the time when there was a large party of these people in the city?—A. Yes, sir. They were said to be here, and in a destitute condition; and I signed an order for the money to procure tickets for their transportation.

Q. You yourself took no pains to ascertain their actual necessities, or how they came to be here destitute?—A. No, sir.

Q. You acted upon the representation of others in whom you had confidence?—A. Yes, sir. I cautioned the president and secretary to take proper vouchers when they purchased the tickets. The emigrants were here, and had to leave that night; I had no time to investigate.

The chairman proposed to submit the paper to the committee as evidence, but a member of the committee objected, and the chairman agreed that it would be well first to identify the paper, and lay a proper foundation for its introduction; which was accordingly done by the following brief examination of Mr. Wall:

TESTIMONY OF O. S. B. WALL.

O. S. B. WALL sworn and examined.

By the CHAIRMAN:

Question. Mr. Wall, I wish you to identify this paper. State whether you are familiar with this paper, and whether it is signed by authority with your name and the names of others?—Answer. Those are my sentiments, and it was at my instance that this was gotten up.

Q. You recognize it as genuine?—A. Yes, sir; it is a good one—good sense, and I am not ashamed of it.

Q. We are not asking as to whether you are ashamed of it or not; only whether you identify it as being a genuine paper issued by you?—A. Yes, sir; that is the paper. (See appendix, Exhibit A.)

MR. TULLOCK RECALLED.

Q. Mr. Tullock, as I understand you, you did not sign this paper; you signed no paper?—A. No, sir; except those three orders on the treasurer.

Q. I mean no paper approving the organization?—A. No, sir.

Q. And all you have ever had to do with the matter was that Mr. Wall asked you to act, in connection with others, as a member of the board of audit, and you consented. That is the way your name comes to stand authorized here. Then, in pursuance of your duties, you signed upon the treasurer three warrants, amounting in all to about $400, to relieve these colored people that were stranded here for want of money some six weeks ago.—A. That is the way, sir.

Q. Is this the first time you ever heard this paper read?—A. Yes, sir.

Q. You had no knowledge of its contents before this?—A. No, sir.

Q. Did you know of its being circulated?—A. I had no knowledge whatever concerning it.

Q. Then this is your first knowledge of this paper, and of your name being appended to it?—A. Yes, sir.

Q. All you did was to sign these orders on the treasurer, amounting in all to some $400?—A. Yes, sir; as to the amount, the orders will show for themselves; I only approximate.

By Mr. BLAIR:

Q. I do not understand you to disclaim sympathy with the movement, but only to disclaim any practical connection with it?—A. No, sir; I have attended none of its meetings and know nothing concerning its organization or its management; I only permitted my name to be used as one of the auditors of the society.

By the CHAIRMAN:

Q. You do not affirm any knowledge of the facts stated in this paper—of the facts on which it is based?—A. No, sir; as I have said, I had nothing to do with the organization, and I have never discussed the subject.

TESTIMONY OF J. W. RANKIN.

J. W. RANKIN sworn and examined.

By the CHAIRMAN:

Question. State where you reside.—Answer. In this city.

Q. How long have you lived here?—A. A little over ten years.

Q. What is your occupation?—A. I am pastor of the First Congregational Church.

Q. Have you been pastor of it for that length of time?—A. Yes, sir.

Q. Have you looked at this paper?—A. I have heard it read for th e first time this morning.

Q. State how your name comes to be attached to that paper.—A. I was requested to act as auditor, and consented.

Q. Upon whose application?—A. Upon the application of Mr. Wall.

Q. How long ago?—A. I cannot tell exactly; it was some time in the fall—early last fall; a number of months ago, at least.

Q. Have you acted in the capacity of auditor?—A. I have signed probably four or five orders, as Mr. Tullock has.

Q. Orders upon whom?—A. Upon Mr. Clapp, as treasurer.

Q. Have you familiarized your mind with this subject of the Emigrant Aid Society?—A. No further than it has been a matter of discussion in the papers. I have also seen some written letters from the South and some from the North.

Q. I am speaking of the Emigrant Aid Society of this city; are you acquainted with its operations?—A. I am not.

Q. Have you never read or heard this paper before?—A. I have not; I knew what the general drift and import of it was.

Q. Do you know how widely circulated this was, or any circular like this?—A. I do not; I know nothing about it; I should presume it was printed for circulation, but I have never seen it in circulation.

TESTIMONY OF J. W. CROMWELL.

J. W. CROMWELL sworn and examined.

By the CHAIRMAN:

Question. State your name and residence.—Answer. My name is J. W. Cromwell, and I reside in the city of Washington.

Q. How long have you lived here?—A. About nine years.

Q. In what business are you engaged?—A. I am a clerk in the Treasury Department.

Q. In what branch?—A. In the Sixth Auditor's Office.

Q. How long have you been there?—A. Since November 2, 1872.

Q. I find your name appended to this paper; please state to the committee how it comes to be there—whether by your authority or not.—A. It is there by my consent.

Q. To whom did you give that consent?—A. To Mr. Adams, the secretary of the society; he requested me to act as one of the board of audit.

Q. Have you acted in that capacity?—A. I have.

Q. In what way?—A. In the way of signing drafts on the treasurer of the society.

Q. Is that all you have done in this matter?—A. That is all I have done in that capacity.

Q. Are you familiar with this paper?—A. I have had a copy of it.

Q. You have read it?—A. A portion of it; I have not read it from beginning to end.

Q. Where were you born?—A. In Virginia.

Q. How old were you when you left Virginia?—A. I was five years old when I left it in the first instance.

Q. Where did you go from there?—A. To the city of Philadelphia.

Q. Have you lived in the North ever since?—A. No, sir; I lived in the North up to 1865, when I returned to Virginia.

Q. Were you appointed to the Treasury from Virginia?—A. I was.

Q. From what part of Virginia?—A. From the second Congressional district—on competitive examination.

Q. Have you ever been in Indiana?—A. I have not.

Q. Have you ever been in North Carolina?—A. I have been three; four or five years ago I went on an excursion to Weldon; that is all I have ever been in North Carolina.

By Mr. BLAIR:

Q. You say you returned to Virginia in 1865?—A. Yes, sir.

Q. And returned to Washington, in 1872?—A. Yes, sir.

Q. In what part of Virginia did you reside?—A. In Portsmouth.

Q. Were you engaged in business there?—A. I was engaged in teaching in the public schools, and under some charitable associations from the North.

Q. You say you became a clerk in the Treasury as the result of a competitive examination?—A. Yes, sir.

Q. How many competitors did you have?—A. Well, that day there were forty-five.

Q. To what position were you assigned?—A. To a first class clerkship.

Q. Do you hold the same position now?—A. No, sir; I hold a third-class clerkship now.

Q. You say you authorized your name to be affixed to this paper, and consented to act in the capacity of auditor?—A. I did.

Q. Do you know anything more of the reasons for the organization of this society than appear there in the paper itself? What do you know, anyway, about this exodus?—A. The first I knew about the exodus was by the telegraphic dispatches in the newspapers last spring. In May a national conference of colored men was held in Nashville, Tenn., which I attended, and of which I was secretary. There were men present there from South Carolina, Georgia, Alabama, and in fact all the Southwestern States. I was surprised to find such a unanimity of feeling on the part of the conference in favor of emigration from the Southwest. There was a positive furore about it; so much so that some of the other business for which the conference was called could not be attended to.

Q. What were the leading objects of that conference?—A. To discuss the status of the colored people of the South, and the oppressions to which they were subjected, and to devise remedies for the evils under which they labored.

Q. Was it a convention of colored delegates exclusively?—A. It was a *conference* of colored men exclusively.

Q. Well, go on and state what was done at that convention.—A. A committee was appointed on the exodus, or on emigration, as it was then termed. They considered the matter, and adopted a report which counseled moderation on the part of the people. But from letters which I have received from different portions of the South since then, and from newspapers published in various parts of the South, I see that the feeling has not abated at all, but merely held in abeyance.

Q. You say there was a furore in that convention, or conference, on the subject of emigration; what was the origin or cause of that furore?—A. Well, it had its origin in the complaints of the colored people.

Q. What complaints?—A. Principally that they did not have an opportunity to get the results of their labor as they thought they should have; they had been struggling there ever since emancipation, and found themselves at the close of every year as far behind, as deeply in debt, as at the beginning of the year; they thought it necessary to make some sort of a change, and they thought they might find some change in emigration. They then seemed to be bound for Kansas.

Q. Was any other cause of complaint mentioned?—A. Yes, sir; bull-dozing.

Q. What do you mean by "bull-dozing"; what specific things?—A. In the first place, they complained of high land-rent, the exactions of the country storekeepers, the unfairness of the merchants to whom they

sent their crops, and the political persecution to which they were subjected. These were their principal complaints.

Q. How general were these complaints; over how large an extent of territory did these causes of complaint exist, according to the statements of the gentlemen present at the convention?—A. There were complaints there from Tennessee, Arkansas, Alabama, Mississippi, and Louisiana. There were some few men present who spoke against the exodus, but that seemed to get for them considerable unpopularity at the time.

Q. The point to which I wish to direct your attention is this: Was there any difference of opinion as to the question of fact, or was the difference of opinion only with regard to the remedies; were these causes universally conceded to be true, or were they denied by some?—A. They were universally conceded to be true; but there was a difference of opinion as to the remedy.

Q. How large a convention was that?—A. It had a membership of about one hundred and forty, I should say, in round numbers.

Q. Was there anything said at that convention, or developed there, calculated to show any connection between this feeling at the South and any political party at the North?—A. There was not. I can state in regard to that very positively, for it was stated in the first instance that it was not to be considered in any respect a political conference. I recollect that one of the members present from Alabama offered a resolution in regard to General Grant, and it was immediately tabled; it was referred to a committee, and no report ever made upon it.

Q. Was there manifested there any effort, open or secret, from any Northern agency, to influence the action of the convention, either Republican or Democratic?—A. Not that I ever discovered.

Q. Do you know of anything tending to show that this exodus movement originated in political motives on the part of any Northern people?—A. I do not.

Q. You understand the only cause to be the complaints of the colored people themselves?—A. Yes, sir; and because they failed to receive that recognition to which they think they are entitled.

Q. About what was the numerical proportion of those in that convention who favored the exodus, as compared with those who did not?—A. At least two-thirds of the whole number were in favor of the exodus.

By Mr. WINDOM:

Q. What remedy did the other one-third propose, if any?—A. Some thought that the colored people ought to wait a little longer, and appeal to the local sentiment for more consideration; they thought that something might be secured in that way.

By Mr. BLAIR:

Q. You say that this was the first you knew of the exodus movement?—A. The first I knew of the movement was from what I read in the newspapers last spring.

Q. You attended that convention?—A. Yes, sir.

Q. Have you given in substance the proceedings of the convention?—A. I think so. A report of the proceedings was made out and printed. I can send a copy to every member of the committee, if they desire.

Q. You have known something of the progress of the exodus movement since that time?—A. Yes, sir; something.

Q. Go on and state what you know about it, as if you were telling a friend; for that is what you are doing. Nobody here is disposed to take any technical advantage of anything you may say.—A. Since the adjournment of the conference, there have, I understand, been organiza-

tions effected in some portions of the South. In Texas an organization has been effected with what they call emigration commissioners. To my surprise, I got a letter from one of them on Saturday, stating what he was doing.

Q. Is there anything private in that letter?—A. Nothing whatever.

Q. Can we have it?—A. Yes, sir. (See appendix, Exhibit B.) I might state in this connection that I am publishing a paper here, and that there have been communications in it from time to time from different portions of the South in regard to the exodus.

Q. Go on and state what further you know about the exodus movement.—A. Well, there has been an organized effort in Texas, of which I have spoken. A good many have left Louisiana and Mississippi; and I have seen it stated that quite a number more are likely to leave in the spring.

Q. What do you mean by "quite a number"? That is quite indefinite.—A. I could not state definitely. I would not be surprised if twice as many left there next spring as left last spring.

Q. How many left last spring?—A. I should say that there went from that section to Kansas about 8,000.

Q. And you understand that double that number intend going next spring?—A. Yes, sir.

Q. That is, from Mississippi and Louisiana?—A. From contiguous portions of those two States—from the counties along the Mississippi River.

Q. Have you any knowledge or information as to the probable migration from Texas?—A. None whatever.

Q. They are already migrating from there?—A. Yes, sir; I have seen it stated in the newspapers that they are leaving there at the rate of thousands a week.

Q. To what point do these Mississippi and Louisiana emigrants go?—A. Mostly to Kansas.

Q. You do not understand that any portion of them go to Indiana?—A. No, sir. When Perry and Williams, the two men at the head of the North Carolina exodus, first came here last fall, they were contemplating going to Kansas too.

Q. Do you know anything further with reference to this exodus movement in other States where there are organizations, or anything is being done?—A. In Tennessee they have an organization.

Q. How extensive an organization?—A. I do not know how extensive. There are two papers published there in the interest of this movement. One of them advocates migration to Texas. I believe I have one of these papers with me—yes, here it is. This paper, called the Co-operative Emigrant, was started, I understand, for that express purpose; it is published at Clarksville, Tenn.

Q. Is that a portion of the State where the colored population is numerous?—A. I should presume so; I am not thoroughly informed on that point. Here is another paper which advocates emigration, published at Nashville, Tenn.; it is called the Emigration Herald and Pilot.

Q. Are the persons managing these papers colored gentlemen?—A. Yes, sir; they are.

Q. Do you know of anybody's money being invested in them except that of colored people?—A. I do not; I suppose, however, that the Co-operative Emigrant is influenced and possibly pecuniarily sustained to some extent—I do not know to what extent—by an association in Boston called the National Farmers' Association.

Q. Is that association devoted to the interests of the colored espe-

cially, or of farming interests generally?—A. It is devoted to encouraging the exodus, I understand—not to Kansas, but to certain portions of Texas.

Q. Does this Boston company own lands down there?—A. I think they have an interest in some lands lying in that portion of Texas which is nearest the Indian Territory and Kansas, or between them and Mexico.

Q. In that portion known as the "pan-handle"?—A. I do not know as to that.

Q. Do you know of any migration, on any general or extensive scale, from Tennessee to any Northern State?—A. I do not.

Q. Has that Boston organization been started recently?—A. It has been in existence for over a year.

Q. Has it been in any sense a political organization?—A. Not at all, as I understand it.

Q. It is entirely an industrial and business organization?—A. Yes, sir.

Q. Is there anything else in the way of emigration being done in Tennessee?—A. Not that I know of.

Q. In regard to these emigration organizations, what is the method or plan upon which they are organized?—A. You will find the plan set forth in the proceedings of the national congress or conference at Nashville that I first spoke of.

Q. Are these secret societies in any sense?—A. O, no. I have seen in some of the newspapers that there are secret societies in North Carolina, but they have nothing to do with these organizations. I know nothing about them.

Q. Are you connected with any society for the promotion of the exodus movement?—A. No, sir, except this association here.

Q. Is that a secret society?—A. No, sir.

Q. Do you know of any secret society organized for the promotion of the exodus movement?—A. I do not.

Q. Can you tell us any more in regard to the probable emigration from Tennessee?—A. I do not know that I can.

Q. As I understand you, the emigration from Tennessee is directed, in part at least, to Texas?—A. No, I mean to say that that paper which is published in Tennessee—the Co-operative Emigrant—is devoted to the encouragement of migration to Texas. To what extent that paper is exerting an influence I do not know.

Q. Do you know how large its circulation is?—A. I do not.

Q. Do you know anything about the circulation of the other paper?—A. do not.

Q. Do you know anything regarding the migration from Alabama?—A. I know that quite a number have gone from Alabama to Southern Illinois.

Q. About how many?—A. I have seen a statement in a paper published in Louisiana that at least 500 had secured homes in Southern Illinois through the influence of a young man by the name of Gladden.

Q. Where does he live?—A. At Cairo, Ill.

Q. Is he a white man or colored?—A. He is a colored man.

Q. What is his employment?—A. Securing homes for these people.

Q. How old is he?—A. I do not know his age.

Q. Is he an educated man?—A. I presume he is.

Q. Before he went to securing homes for the colored people what was his employment?—A. When he was at Mobile he was agent for a paper published in New Orleans by the name of the New Orleans Observer; afterward he left and asked to be an agent for my paper.

Q. You have seen him, then?—A. No, sir; he asked by letter. I wrote to him in answer to his letter, and it was quite a time before I got a reply; then he wrote to me that he had moved to Illinois, and I saw afterward in the Observer the statement that he had settled about 500 colored people in Southern Illinois.

Q. From what part of the South did they come?—A. From Alabama, I understood.

Q. From the southern portion of the State?—A. I presume from the southern portion; he was from Mobile.

Q. Do you know over what route they came?—A. No, sir.

Q. Nor whose means carried them there?—A. No, sir.

Q. Do you know anything about emigration from Georgia?—A. No; I don't know anything about Georgia.

Q. Were there any delegates from Georgia in that convention?—A. There were.

Q. Did they make the same general complaint as to facts that the others did?—A. Yes, sir.

Q. But you know nothing of any exodus from Georgia?—A. No, sir.

Q. Nor any contemplated exodus?—A. No, sir.

Q. Nor methods or plans to secure one?—A. No, sir.

Q. Do you know of any papers published in Georgia devoted to the advocacy of emigration from that State?—A. No, sir.

Q. Do you know anything of any such movement in Florida?—A. Yes, sir; to my surprise I received information of such a movement on Saturday; I know it because of an appeal published in a paper called the Key West Dispatch, from Leon County I think.

Q. Have you a copy of that paper?—A. I have not.

Q. What was the character of that appeal?—A. It recited the same general facts that have been stated with regard to those other States, and expressed the opinion that the only way to secure relief was by emigration to some part of the North.

Q. Was anybody from Florida present at that national convention?—A. There was not.

Q. Do you know anything more about the matter in Florida?—A. I do not. I know one of the men whose names are attached to the appeal.

Q. What is his name?—A. Pierce; the Rev. Charles Pierce.

Q. Where does he reside?—A. I do not know.

Q. Will you ascertain his address, and furnish it to the chairman?—A. I will.

Q. Do you know of any other prominent colored men in Florida who are engaged in this movement?—A. I do not.

Q. Can you tell us any more about the movement in Florida?—A. I cannot.

Q. What about South Carolina?—A. I do not know anything about South Carolina.

Q. What about Kentucky?—A. I do not know anything about any exodus from Kentucky.

Q. Do you understand that there is any probability of an exodus from that State; have you heard any complaints from there?—A. I know of no general complaint from there.

Q. Do you know anything about Arkansas?—A. I do not.

Q. What about Virginia, your own State; do you know anything about an exodus movement from that State?—A. I do not think it very likely.

Q. What about North Carolina?—A. I know nothing more than I

have said. I saw those two men from North Carolina, Williams and Perry, when they first came here.

Q. You came in contact, I take it, more or less, with those people who passed through Washington?—A. Only to a very slight extent. I saw Williams and Perry. When the emigrants were here I went to the church where they were staying only twice.

Q. How many passed through here?—A. I have no accurate idea. I should suppose, perhaps, 800.

Q. Who were those people—families or usually only men?—A. The first batch, the one that passed through here on the 19th of November (I think that was the date, because that was the day when the Thomas statue was unveiled), consisted almost exclusively of men.

Q. How many were there in that company?—A. I think there were 51.

Q. How many of these were men?—A. Thirty-four, if I remember rightly.

Q. And the rest were women?—A. Women and children.

Q. Then that first company of emigrants consisted of 51 persons, of whom 34 were men and the rest women and children?—A. Yes, sir.

Q. Were these men middle-aged, or young men mostly?—A. My impression is that they were, in the main, middle-aged men. I think their average age would be below forty.

Q. Where did they come from?—A. They came from the neighborhood of Kingston, N. C.

Q. Were they from various portions of the State, or from a single locality?—A. My understanding was that they did not come from various portions of the State, but from the vicinity of Kingston.

Q. Where were they going?—A. To Indiana.

Q. Did they state to you why they left North Carolina, and why they were going to Indiana?—A. They said an agent of theirs had been out to Indiana, and had returned; and they were going out in pursuance of arrangements made by him.

Q. But why had they send out this agent? Why did they desire to leave North Carolina?—A. On account of the disadvantages under which they labored there.

Q. Of what disadvantages did they complain?—A. They said they could not get a sufficient amount of money for their work; that was the burden of their complaint.

Q. The trouble was not in getting work, but in getting pay for it?—A. Yes, sir.

Q. What pay did they get?—A. I am not certain as to that.

Q. Did they complain of any lack of political privileges, or of industrial necessities chiefly?—A. That was the chief motive, as I understood it.

Q. Did any of them state, or did you learn in any way, that any political party was endeavoring to induce them to leave for the purpose of influencing the election in Indiana?—A. I did not.

Q. Was there no suggestion or secret hint of any such thing?—A. Not that I heard of.

Q. That was the first company, of 51; how many companies have gone through?—A. I cannot state the exact number; I should say four at least.

Q. When did the next one arrive here?—A. I cannot state exactly; I should say in the early part of December.

Q. How many were there in that company?—A. I do not know.

Q. Did you see them?—A. I did not.

Q. Did they make any stop in Washington?—A. I do not know; one

of the batches made no stop; but whether it was this one or not I am not certain.

Q. Where were these from—this second company?—A. From the same general locality as the other, I understood.

Q. How many of them were there?—A. I do not know the exact number; between one and two hundred, I understood; I did not make any note of it.

Q. How was the party made up—of about the same proportion of men, women, and children as the former?—A. I do not know; I did not see them, and I never heard anything about that.

Q. When did the next company come?—A. About a week later a large number of them came, and reported here about the same time.

Q. How many were there in that lot?—A. I heard many different reports; I should conclude about 300, including the children.

Q. They were men with their families?—A. Yes, sir.

Q. Where were they going?—A. To Indiana.

Q. Did you hear any of them say that they were going there to help carry the State for the Republicans?—A. O, no; they said they were going there to get work, and to get money in pay for their work, and not orders on the stores.

Q. Where did the money come from that carried them there?—A. Much of it came from collections made in the colored churches.

Q. Where did the money come from that brought them here?—A. I do not know.

Q. When they got here they were stranded, were they?—A. Yes, sir.

Q. You did not have to help the first lot?—A. We did help them some.

Q. The large lot was out of money, and you helped them on?—A. Yes, sir.

Q. Did you raise enough money to send them clear through to Indiana?—A. Yes, sir.

Q. Did you buy their tickets clear through?—A. Yes, sir.

Q. Was anything done to help take care of them after they got there?—A. I do not know.

Q. Did they receive any help except from these churches of which you have spoken?—A. Not that I know of.

Q. You have now spoken of three companies, I think; when did the next lot come through here, and how many were there of them?—A. I heard of some—one lot—that came and went right on through. They paid their own way; I do not know how many there were of them.

By the CHAIRMAN:

Q. You say that when those two men, Perry and Williams, first came here last fall in connection with this matter, it was their purpose to lead this emigration right through to Kansas?—A. It was.

Q. But they changed their purpose, and decided to settle their emigrants in Indiana?—A. They did.

Q. What was the reason of that change?—A. So far as I understood, it was this: Kansas is a new State——

Q. Are you giving now your own reasons, or the reasons you got from Perry and Williams?—A. I am giving what was told them.

Q. Told them by whom?—A. By different members of the aid society.

Q. Who were they that told Perry and Williams and the rest to go to Indiana instead of Kansas?—A. I think the secretary of the association.

Q. Who is he?—A. I think Mr. Adams.
Q. Who else?—A. Well, I told them myself.
Q. Who else?—A. I do not know of any other person who told them.
Q. You think their original purpose was changed by this emigrant aid society, of which you are a member?—A. Yes, sir.
Q. What reason did Mr. Adams give for changing the tide of emigration to Indiana instead of Kansas?—A. That they could get work in Indiana, and not in Kansas.
Q. Why could they get work in Indiana and not in Kansas?—A. Because Kansas is a new State; the people there are making their first struggles. and are not in a condition to employ as largely as in an old State like Indiana.
Q. Were you ever in Indiana?—A. I was not.
Q. Then you did not know whether they want any laborers in Indiana in the winter-time or not?—A. I will give you my reason for telling them to go to Indiana instead of Kansas.
Q. You have already given one reason.—A. Well, there was another reason; I had received a circular from Indiana.
Q. By whom was that circular issued?—A. By J. H. Walker, of Terre Haute, Ind.
Q. What did Mr. Walker say in that circular?—A. He stated that there was a great demand in Indiana for laborers; he said he was born in Virginia; he said it had been said that the climate of Indiana was too cold for colored men, but that it was not too cold for him; and that as many people as would come there could find good homes, and be paid for their work, and their children would have an opportunity to go to school.
Q. Had you this circular when you talked with Perry and Williams?—A. I had.
Q. Did you show it to them?—A. I did.
Q. Had Mr. Adams received any circular from anybody in Indiana?—A. I do not know.
Q. That is all the information you had from Indiana?—A. Yes, sir.
Q. And in consequence of the representations of this circular issued by J. H. Walker, of Terre Haute, Ind., the tide of emigration was stopped in Indiana, instead of going on to Kansas?—A. Yes, sir.
Q. Did this circular state that there was any call for colored laborers in Vigo County?—A. I do not think it named any counties.
Q. Do you know how much money was raised for each passenger from Washington to Indiana?—A. I think the railroad company charged $9 each.
Q. What railroad did they go on?—A. The Baltimore and Ohio.
Q. That company took them at reduced rates?—A. Yes, sir.
Q. Who was managing the matter for the road?—A. I do not know.
Q. Do you know Mr. Dukehart, passenger agent for that road?—A. I have seen him.
Q. Did you see him in connection with this matter?—A. I did, once.
Q. Was he then making this arrangement to carry these negroes to Indiana?—A. I do not know whether he was or not.
Q. You understand that the road made reduced rates, and took them at $9 a head?—A. Yes, sir.
Q. And that the money raised here was enough to comply with that arrangement?—A. Yes, sir; that was it.
Q. You have shown us a paper, called the Co-operative Emigrant, published at Clarksville, Tenn.; I see that a Dr. A. Aray, is the editor; do you know him personally?—A. I do not.

. Is he a colored man?—A. He is.
. I wish to read to you an article, copied into this paper, with the ifest approval of the editor, from the Dallas (Tex.) Herald. (See ndix, Exhibit C.) Had you read that article?—A. I had not; I had just received the paper.

By Mr. BLAIR:

. Are articles like this commonly published by colored men in their ers, to encourage migration to the north?
nother member of the committee suggested that the Co-operative igrant was published for the purpose of encouraging emigration from nessee to Texas, and that is south. Some discussion arose as to the itations of the investigation; resulting in a conclusion to give it the est latitude consistent with a fair and not a technical rendering of resolution directing the investigation, in order to get at the whole th.

By the CHAIRMAN:

. About this Nashville convention or conference, how was it called? o called it? From whom did you get invitations or notices to attend? A. The matter of calling a national conference of colored people had n discussed for a year or more.
. You mean in the colored newspapers?—A. Yes, sir.
. So there was nobody in authority as an organization that called —A. O, no; they came together voluntarily at a time agreed upon; nt a hundred and fifty men were present at the time and place which been previously appointed by some one.
. You don't know who that "some one" was?—A. O, yes, sir; I w who that some one was. Ex-Governor Pinchback and myself w up a circular letter, some time in January—just about a year ago —requesting a few men to meet us at a certain house in this city, there the plan of calling a national conference was discussed and ded. That was before the colored people had begun to leave any he Southern States to any considerable extent.
. And when you got there you found about two-thirds of those ent in favor of emigration as a remedy for the evils under which suffered, and about one-third opposed to it?—A. Yes, sir.
. There was no division on the question of fact, as to whether these s existed?—A. None, whatever.
. This paper, published at Clarksville, Tenn., is published in the insts of a land association in Boston, which owns land in Texas, and ts to get laborers to go there and open it up?—A. That is the conion I have reached.
. And this paper is opposed to the northern exodus—to emigration hward?—A. Yes, sir.
. Now, Mr. Cromwell, you are an intelligent man of your race, and e mingled considerably with others of your race; now please state he committee what is the scope and purpose of this emigration movet; does it embrace the entire colored population of the South, with sign to transport them elsewhere, or does it embrace only a part, and, , how large a part?—A. There is no movement, except in so far as entered into by persons, independently of each other, in their retive localities. No colored man and no number of colored men d ever have orginated this movement. It was spontaneous, so far s origin was concerned.
. But it seems to have been easy to change it from Kansas to Ina?—A. I hope you would not call a movement of seven or eight

hundred persons, from one or two counties in North Carolina, a change in the emigration movement in general, when others are going to Kansas, and others to Illinois.

Q. What counties in North Carolina is this movement from, do you understand?—A. I don't know that I can name the counties; I think the most of them are from the neighborhood of Kingston, Lenoir County.

By Mr. BLAIR:

Q. An article has been read from this paper, representing the suffering, the destitution, in some cases the starvation, to which emigrants are subjected in going to Kansas; is this sort of thing pretty generally reported throughout the South? Is it well and widely known, through those who have gone back, and through the papers of the South, that there is a great deal of suffering and hardship attending this emigration?—A. I do not know that I understand your question.

Q. Are the reports that the emigrants suffer from hunger and cold and bad treatment from the whites at the North—are these reports carried back to the colored people of the South, or not?—A. Yes, sir; they know of it, through the papers.

Q. You have no doubt that the colored people of Tennessee have access to this information?—A. Certainly they have.

Q. And the colored people of Mississippi and of Louisiana, also?—A. I presume so.

Q. And yet, notwithstanding that, I understand you to say that 16,000 colored people are intending to leave Louisiana and Mississippi, in place of the 8,000 who left last year?—A. They discount those statements somewhat; they believe some portions of them.

Q. You have no doubt that the colored people of the South generally understand that they must undergo some hardship and some ill-treatment in making the change?—A. Certainly they do.

Q. And notwithstanding that, this emigration is on the increase?—A. It is largely on the increase.

Q. These people understand this, that they are coming north to get a better living, to secure civil rights, and to educate their children?—A. That is it.

Q. What else are they coming north for?—A. I do not know of anything else.

Q. I understood you to say that you have never heard that any political party of any section of the North was at the bottom of the movement?—A. I never have.

By Mr. WINDOM:

Q. You mentioned, a while ago, that at the Nashville convention one of the complaints that were made was in regard to political persecution or proscription; what was the character ot that political persecution or proscription? From what party did it come?—A. From the Democratic party.

Q. What was the character of that persecution or proscription; in what did it consist?—A. In "intimidating" them, as it was generally expressed; in preventing them from expressing their will at the election.

Q. By what means—was anything said as to that; or was it not stated specifically?—A. It was stated in general terms; the term "bulldozing" was quite generally used.

Q. The chairman has read an extract from this paper, the Co-operative Emigrant, which you say represents the interests of the "National

mers' Association," having its headquarters in Boston. Now I wish ead an extract from this paper. The extract is copied from the ladelphia Times, and is as follows. (See appendix, Exhibit D.) The irman has also suggested that the article read by him from this er is indicative of the sentiments of the colored people. I wish to l another article, quoted by this paper from the Indianapolis Leader, aper in Indiana, edited, I understand, by a colored gentleman, and ing the cause of the exodus. I wish to see whether you agree with n. (See appendix, Exhibit E.)

By Mr. BLAIR:

Q. Does that, leaving out the unfortunate and rather harsh expres-ns, convey the general idea that the southern colored people have?—I think it does.

By Mr. VANCE:

Q. In that convention at Nashville, where colored men were com-aining of their treatment, one complaint that you mentioned was high nt of land; did you hear any allegation that colored people were arged any higher rent than white people were?—A. O, no, sir; they mplained of relatively high rent, as compared with production.

Q. Did you hear any charge of discrimination against black men and favor of white men? or were their complaints simply that the general arket value of land-rents was too high, and the general habit of store-epers was to charge too much?—A. I do not know of any special ex-ression upon that point.

Q. Do you know Williams and Perry?—A. When I see them.

Q. Do you know where Williams came from?—A. He came from orth Carolina, I understand.

Q. Do you know what organization he is the agent of?—A. I do not.

Q. He is some kind of an agent, is he not?—A. I understand that he some kind of an agent.

Q. When he came here did he not represent himself to be the agent a number of colored people in North Carolina who were desirous of migrating?—A. Yes, sir.

Q. How is he supported while engaged in this work?—A. I do not ow.

Q. Who pays his expenses?—A. I do not know.

Q. Do you not know that he gets so much per head for every emigrant secures?—A. I do not.

Q. Do you not know that he gets a commission from the railroad for ry colored passenger he puts on the train?—A. I do not.

Q. He must be supported in some way.—A. I suppose so.

Q. I am glad to hear you say that none of the colored people from rth Carolina, at that Nashville convention, complained of political ongs.—A. I said that was not the burden of their complaint. They nplained also of the laws relating to landlord and tenant, which pre-nted them from selling anything they had raised before their rent was d; if they raise anything for themselves, they are prohibited from ling it without the consent of the owner of the land.

Q. Do you know anything, from your association with colored men m North Carolina, or from anything published in the papers, as to at has been the general condition of the colored people in that State the past four or five years?—A. I should conclude, from what I can rn, that their condition is improving in the larger towns and cities.

Q. Do you know Bishop Hood, the bishop of the Colored Methodist

Church in that State?—A. I do not know him personally; I know his reputation.

Q. Did you ever read the proceedings of the conference of colored men at Salisbury, in 1878?—A. I might have done so; I do not now remember anything particularly in reference to it.

Q. Do you not know that a Democratic legislature appointed colored justices of the peace in various parts of the State?—A. I think I have so understood.

Q. Do you know that recently asylums have been built for the insane and the blind and the deaf and dumb among the colored people, and normal schools for the education of colored teachers?—A. I understand that to be the case.

Q. Do you not know that we have military companies, armed and equipped, composed of colored men?—A. I understand so in towns and cities.

Q. Do you not know that the colored people recently held a State Industrial Exhibition at Raleigh—the first ever held in the United States by colored people?—A. O, no, sir; there were several held in the United States before that; one in Tennessee, at Nashville; one at Lexington, Ky.; and one at Wilmington, N. C.

Q. Those were not State fairs?—A. No, sir; not *State* fairs.

Q. Then you judge that the condition of the colored people in North Carolina is improving?—A. In the towns and cities, yes.

By Mr. BLAIR:

Q. I notice that you are careful to qualify your answer by saying, "in the towns and cities." How is it with regard to the rest of the State?—A. There has been less proper payment of labor in the country districts than in the towns and cities; that is why I make the qualification.

By Mr. VANCE:

Q. What do you mean by "proper payment of labor"? Do you mean prices?—A. I refer to both prices and manner. I understand that it is the general custom (at least those men who came here from North Carolina said so) to pay them in orders on the stores, and not in money. The same thing is sometimes done, to a certain extent, in my own State of Virginia.

Q. Wherein does that work any hardship?—A. When a laborer is paid in orders on the stores he cannot divide his fund and say, "so much I will use for this purpose" and "so much for that" and "so much for another." All has to be taken up at once, in such goods as are in the store, whether he wants them or not, and at such prices as the storekeeper chooses to fix: and this practice affords a storekeeper an opportunity to charge a high price for his goods.

Q. Is it to be understood that he embraces the opportunity?—A. That is the impression prevalent; it is very natural that he should do so.

Q. You say the laborers are paid by orders; the owner or the lessor of the land, for whom the colored man works, gives him an order on the store; the man goes there with his order, and takes up the necessaries of life, which he is obliged to have. Does he take them up in advance of the sale of his crops?—A. I do not know whether in advance or not; I have simply been told by them that that is the method of payment.

Q. The gist of the complaint is, that there is very little ready money paid them?—A. Yes, sir.

Q. You say they are not allowed to sell anything until the main crop s harvested; what do you mean by that?—A. I am told that such is the ase.

Q. What are the principal crops they raise there?—A. Cotton and orn, and in certain portions of the State, peanuts; and in some sec- ions—in the northern part, about Hendersonville, and Danville, and reensborough—tobacco.

Q. Do you understand that they are prohibited from raising and using egetables and the ordinary necessaries of life that may be appropri- ted by the family during the season?—A. I mean that they are pro- ibited from selling, not from using.

Q. They have the right to use whatever they can appropriate?—A. I nderstand so; but cannot sell anything, so as to get any income from it.

Q. You say that when the year ends, and the colored man comes to ettle up, there is nothing left; how did you understand the colored man upported his family during the season, while the crop was growing?—A. That has always been a mystery to me.

Q. Do you know how they get such support as they have?—A. I sup- pose that they get an advance from the lessor.

Q. That is, an order on the storekeeper is advanced to them?—A. Yes, sir.

Q. And that leaves them at the mercy of the storekeeper?—A. Yes, sir.

Q. You say that you heard no complaints of any discrimination in the matter of rents as between the white population and the colored popu- lation?—A. Yes, sir.

Q. Did you understand that the white laborer lived on orders given him in advance, upon his work, the same as the colored laborer?—A. In the Southwestern States there is no white laboring population, as a class, like the colored population.

Q. How is it in North Carolina?—A. It is different in different parts f the State; in the western section of North Carolina it is quite differ- nt from the east.

Q. Is this emigration from the eastern or the western section?—A. I hould call it the eastern.

Q. Do you understand that there is a white laboring population in hat section of North Carolina in competition with the negroes?—A. I ink not.

Q. You understand that there is no discrimination between the white nd the colored population as regards the manner in which they are aid for their labor?—A. It is not easy to see how there could be, when ere is no white laboring population to discriminate in favor of or gainst. Is it anything very extraordinary that there should be no dis- imination where there is only one kind of people?

(Mr. Vance objected to witness inserting an argument into his testi- ony.)

Mr. BLAIR. You asked a question, and he has answered it, that is all.

By the CHAIRMAN:

Q. Was there anything in his circular to indicate whether that man Valker, of Terre Haute, was a white man or a colored man?—A. He as a colored man.

TESTIMONY OF A. B. CARLETON.

A. B. CARLETON sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. At Terre Haute, Ind.

Q. What is your profession?—A. I am a lawyer.

Q. Are you acquainted with J. H. Walker?—A. I am, very well.

Q. Do you know what official capacity he holds under the general government?—A. I do not know what is the name of it; it is connected with the postal service; he carries the mail between the depot and the post office; he is an employé of the general government.

Q. State what the negro population is in Vigo County, of the old settlers, who have been there as long as anybody else.—A. It is 1,500 or 2,000—upwards of 1,500 anyway.

Q. How many votes do they cast at the election in our county election?—A. Between 300 and 400.

Q. Are you tolerably well acquainted with the colored people there?—A. Pretty well.

Q. Have you, since this immigration movement into Vigo County commenced, had any conversation with any of the colored men themselves, the old settlers, on this subject?—A. I have, to some extent.

Q. State their opinions of favor or disfavor toward the movement.—A. I have heard old colored residents express themselves in about this way: they said there were enough poor negroes here now, without the immigration of any more from North Carolina.

Q. Is there any sentiment so far as you know in favor of this immigration to our State, either in Vigo County, or any place else?—A. I know of nobody who favors it, except J. H. Walker.

Q. In regard to farm labor, have you any knowledge of any demand for farm laborers at this time of the year, in that part of our State?—A. I have no knowledge of it; and I am satisfied that there is no demand; I have conversed with old residents there, and they do not know of any demand for them.

Q. Are Walker's opportunities and position such as to enable him to judge of such a demand, or to be the instrument of communicating the wishes of the farm community?—A. There is nothing in his calling to indicate that, further than that he is a busy kind of a man—he is an active Republican politician; he might make inquiries.

Q. You acquaintance in that vicinity is pretty general?—A. Yes, sir.

Q. If there is any such demand, you are not aware of it?—A. No, sir.

By Mr. WINDOM:

Q. Have you talked much with farmers on this subject?—A. To some extent. The fact is, ever since 1874 we have had hard times in Indiana; there is very little amelioration even now, when there is said to be a "boom" in business. I have known, from people coming to make inquiry where they could get employment, that there is an oversupply of labor. Of late, since there has been to some extent a revival in the iron business, there has been some inquiry for foundery-men; but for farm labor there is no demand in Indiana.

Q. Do you know whether these men who have recently migrated out there have found employment?—A I am unable to say. I know of one colored man who got employment; I had a little conversation with him on the train.

Q. Do you know whether the colored people already residing there have exerted themselves to find employment for the new comers, and to take care of them?—A. Yes, sir; their efforts have been taxed to the utmost to find employment for them.

Q. About how many colored men have you heard express opposition to their coming?—A. I do not know; perhaps four or five.

Q. They all put it on the ground you have mentioned, that there was not employment for them?—A. Yes, sir; they said there were too many negroes here already.

Q. This Mr. Walker, you say, was employed in carrying the mail from the depot to the post-office?—A. Yes, sir.

Q. Is not that work done under contract with the department?—A. My understanding is that it is an appointment; he has had the place, I think, some six years or more.

Q. Do you know of any demonstrations of opposition on the part of the white people of Indiana to the colored emigrants stopping there?—A. None to my knowledge.

Q. Do you know anything about the demonstration at Shelbyville?—A. Nothing, only what I saw about it in the newspapers.

Q. Do you know anything about their being refused to speak in a court-house at any place in Indiana?—A. I do not.

By Mr. BLAIR:

Q. There has been some white migration to Indiana from the North and other points, has there not?—A. Not very largely.

Q. But there has been something of it—German, and Irish, and Scandinavian, &c.?—A. We have no Scandinavian population at all in Indiana. I am not aware of any immigration into Indiana that amounts to anything, except colored.

Q. Then the growth of Indiana, the increase of the population, seems to have come to a stop, except as to the colored population?—A. There is no general migration to Indiana from any State.

Q. There is some emigration from the State, I presume?—A. I suppose there is some, to the Southwest, Texas, &c.

By Mr. WINDOM:

Q. Is it the general wish of the people of Indiana, as you understand it, not to have any more people come there?—A. I think not.

Q. Is it the general wish not to have any more laborers there?—A. I do not think there is any such wish as that.

Q. Only they do not want any more colored people to come there?—A. They do not desire to have an exodus of people of any color come there, unprovided for, in competition with the people already there. Where large numbers of colored people come into a State, in a destitute condition, it is not very agreeable in my judgment, to the people there, especially when it is generally believed, and it is the pretty common belief, that they are brought there for the purpose of voting a particular ticket.

Q. Is not that, then, the only objection, the impression on the part of the Democratic party that these colored people have come there to vote?—A. That is it in part; but, besides that, there is a general feeling I think, without distinction of party, that it is not a good thing for a large number of people to come into a community at once, and unprovided for.

Q. There has been no violent opposition to their coming that you are aware of?—A. They have been treated kindly, so far as I know.

By the CHAIRMAN:

Q. Has there been any violent opposition anywhere, except at Shelbyville?—A. None that I am aware of.

Q. You say you talked with one of these men from North Carolina; did you talk with any more than one?—A. There was only one that I had any lengthy conversation with.

Q. What employment did he get?—A. He was at Indianapolis. I asked him where he was from, and he said from North Carolina; he named the county; it was Monroe or Marion, I think. I learned from him that he had been employed by a certain doctor, whose name he gave, who lived in Amo, Hendricks County, Indiana. He told me that there were twenty-five families in the party that came from North Carolina with him. They were at once quartered at Indianapolis, and this doctor had employed him. After this conversation with the colored man, I went back and took my seat. Then this doctor, whose name I cannot give, came and sat down by me and began to talk. He is a doctor who lives at Amo, and has a farm about two miles out of town. He wanted to know if I belonged to the Voorhees investigating committee, and I told him no. I learned from him that he had employed this colored man at Indianapolis, and was taking him home to give him employment during the winter.

Q. Did this colored man assign any reason for coming to Indiana, or why Indiana was such an enticing place for colored people?—A. Yes. He said he had been told that in Indiana he could get work, and get paid a dollar and a half a day. He said he was a Republican. I asked him if he was coming out to Indiana to vote. By that time several persons had gathered around and he had become more on his guard, and his reply was, "The Democrats say so."

Q. Is farm labor in Indiana worth a dollar and a half a day now?—A. O, no, sir.

Q. Is it worth the half of that?—A. No, sir. That same day I saw a Mr. Baird, who is running a wood-sawing machine on the railroad and employs several hands. He said that more than twenty white men had sought employment of him recently and were willing to work for fifty cents a day, but he could not give them employment.

By Mr. BLAIR:

Q. Have you any information as to the number of colored men that have come into Indiana during this exodus?—A. It would be a very rough guess that I could make.

On motion the committee adjourned to meet at 10 a. m., January 21, 1880.

SECOND DAY.

WASHINGTON, D. C., *Wednesday, January* 21, 1880.

The committee met pursuant to adjournment. Present, the chairman and all the members. The taking of testimony was resumed as follows:

O. S. B. WALL, recalled, sworn and examined.

By the CHAIRMAN:

Question. State your name, age, and residence.—Answer. My name is O. S. B. Wall; my residence is on the corner of Seventh and Boundary streets, near the Howard University grounds. Did you ask me my age?

Q. Yes, sir.—A. I am about fifty-two years old now.

Q. Where were you born?—A. In Richmond County, North Caro-ina, near the Peedee.

Q. How long have you lived here in Washington City?—A. I came ere in the fall of 1864; staid here till the spring of 1865; then I was ommissioned by President Lincoln to be a colonel, and went away and aid on duty among the freedmen in South Carolina, in Charleston, ntil early in 1866, when my regiment was mustered out and I was mus-ered out also. Then I went back to Ohio, my home before coming Washington, and staid there awhile; in 1867 I was sent as a delegate represent Northern Ohio in the national colored convention in that tate.

Q. When did you come from North Carolina to Ohio?—A. In 1839; was sent there by my father to a Quaker school in Warren County, bout fifty miles above Cincinnati.

Q. Then you were appointed from Ohio, by President Lincoln, to what osition?—A. I was appointed to a captaincy by Secretary Stanton on he 3d of March, 1865.

Q. Just about the termination of the war?—A. Yes, sir.

Q. How long were you in the Army?—A. I was in the Army a year, ecause the organization to which I was attached was not disbanded.

Q. Did you hold any position under the government after that?—A. Yes, sir; as I said, when I came back here in 1867, General Howard sought me and asked me to become an employé in the Freedmen's Bureau.

Q. And you accepted the position?—A. Yes, sir.

Q. How long were you in the employment of the Freedmen's Bureau?—A. Without the data at my hands, I could not say.

Q. You can state approximately?—A. I should say some three or four years.

Q. After you went out of that service, what other service were you engaged in?—A. I think that then Mr. Bowen and others petitioned the Attorney-General to commission me justice of the peace. I suppose they thought they would try the novelty of having a negro in the judi-ciary service, and I was the first black fellow appointed to be a justice of the peace in the District. After that the board of police commis-sioners made me a police magistrate.

Q. How long did you serve as justice of the peace?—A. About nine ears altogether.

Q. Have you occupied any other official position since you were justice f the peace?—A. No, sir.

Q. You are now engaged in the practice of the law?—A. Yes, sir.

Q. Are you engaged in any other business?—A. None, except that I ollect and do everything that pertains to that sort of business.

Q. When did you become president of the Emigrant Aid Society?—. I could not state exactly; a year or a year and a half ago.

Q. Where was this Emigrant Aid Society organized of which you are e president?—A. At the house of Mr. Adams, the secretary.

Q. Where was that?—A. On the corner of Fourteenth and V streets.

Q. In this city?—A. Yes, sir.

Q. Is this the parent society, or are there branches of this Emigrant id Society?—A. This is the parent society and the only one.

Q. You mean there are no branches?—A. None that I know of; there e no auxiliaries that I know of, excepting in this sense, that we were ganized first, and that others, which were organized afterward, showed leference to us, being the first organized, and being located at the na-nal capital; we have never given any authority to any other society any other State.

Q. Are there any other similar societies, to your knowledge, in the United States?—A. I learn by the papers and by hearsay that there are a number of them.

Q. State where they are, so far as you know.—A. There are one or two in Kansas, I have heard.

Q. Whereabouts in Kansas?—A. I said—what I am telling you now is only what I have heard said or have read in papers. I know I have heard it said that there were two or three in Kansas, I think near the Missouri line. Then I have heard or have read, I do not know which, that there were some in Indiana, and some in Pennsylvania, New York, and other places, which I cannot now recall. I have heard this in a sort of general way.

Q. There are several in Indiana, you say?—A. I have heard so or read so, or both.

Q. Where are those located that are in Indiana?—A. I think I have heard that there is an organization at Greencastle. I understand there is one at Indianapolis. I think I have read of another at some other place in Indiana, but as to that I will not undertake to be explicit.

Q. Have you corresponded with these other similar societies of which you have spoken?—A. No, sir.

Q. Have you had no correspondence with them either by letter or otherwise?—A. Do you mean as president of our organization?

Q. I mean in any way—you or your society.—A. *I* have not; our secretary has attended to the correspondence.

Q. My question was intended to embrace your society; has your society had any such correspondence?—A. I think we have, but I will not be positive as to that. I think Mr. Adams has spoken to me a number of times about receiving communications from other societies and answering them. I have not read the communications, though.

Q. Where is Mr. Adams now?—A. He is away out West somewhere; I do not know exactly where; the last I heard of him he was near Vancouver's Island, I think; at least, way up in Washington Territory.

Q. How long do you expect him to stay there?—A. I cannot say. I have understood that he means to make a permanent home somewhere out there.

Q. Has your society filled his place as secretary?—A. Yes, sir.

Q. Who is your secretary now?—A. A young man by the name of Fearing, a clerk in the Treasury Department.

Q. Is he white or colored?—A. He is a very handsome mulatto.

Q. Has he the records of your society?—A. Yes, sir; so far as we have any. The fact is, we have not much records about it.

Q. So far as you have any, are they in his custody or yours?—A. In his, sir, as secretary of the society. I would state, as I said before, that we have very little in the way of records. We have been going on very much as the English Government does, without any written constitution.

Q. Such letters as you have received, have you been in the habit of keeping them or destroying them?—A. I have quite a number, mostly, I should say, not official but personal.

Q. Have you any from the society at Greencastle, Ind.?—A. I have not.

Q. Have you any knowledge of the names of any parties belonging to that organization?—A. No, sir.

Q. Did you ever hear of a man there by the name of Langsdale?—A. have heard of him.

Q. Did you ever have any correspondence with him?—A. I never did.

Q. Have any copies of his paper been sent to you?—A. Mr. Adams ay have shown me some; I will not be positive.
Q. Are you acquainted with the parties composing the organization Indianapolis?—A. No, sir. The Leader is sent me, a colored paper; id from my recollection, about the time the society was organized, the me of a man called Bagby or Bagley occurred among the officers. hat is about all the name I remember.
Q. Were you ever in Indiana?—A. O, yes, sir.
Q. At what point in Indiana?—A. In the northern portion mostly. I as raised only sixty miles east from Richmond County.
Q. Are you acquainted in Indianapolis?—A. No, sir; but I know ersons there with whom I was raised; we were boys in the academy gether.
Q. Who are they?—A. Dr. Harvey's sons.
Q. Were there any others?—A. I cannot think of any others.
Q. How long since you were at Indianapolis?—A. I never was at Inianapolis; my acquaintance was mostly in Northern Indiana.
Q. How long since you were in Indiana at all?—A. Not for several ears.
Q. You say you have no written constitution?—A. Well, sir, that is artly correct and partly not. We have a sort of a constitution, but e have not the regular machinery, such as people usually have to govern iterary or other organizations.
Q. What sort of machinery have you?—A. We simply have so much f a constitution, without any preamble to it, as sets forth that we are o have a president and vice-president, and secretary, and a treasurer, think; but we do not go on with a number of different articles defing just in what way the objects of our society shall be carried out.
Q. Is there a record of that constitution?—A. I cannot say; I have ever seen anything of it since the evening when we adopted it, over a ear ago.
Q. What are the provisions regarding membership, or didn't you have ny?—A. I doubt whether we ever had any.
Q. Is there a fee for joining?—A. I think not; I am not positive as to that, but I think not. We simply wanted to work and get along ith as little organization to govern us as we could.
Q. Did the officers of this organization receive any pay for their servces?—A. Not any.
Q. On what source do you rely for money to put into your treasury?—. On voluntary contributions from good people of the country who mpathize with us.
Q. You simply solicit charity on this subject?—A. That is all; but I not call it charity exactly; it is a contribution.
Q. You have said that there are no branches; but is there any organation of this kind in North Carolina?—A. I do not know, sir.
Q. Have you had any communication with anybody in North Carolina the subject?—A. I have had no communication with anybody in the ase that there has been any correspondence between our society and y society there. I have received letters from North Carolina.
Q. From what point were they written?—A. Mostly, I think, from ldsborough.
Q. Do you remember the name of the party writing them?—A. I do—. Evans and Mr. Scott. I think those two have written me from ere.
Q. Where are they now?—A. I do not know.

Q. How long since you saw them in town here?—A. I saw them in town here four or five days ago.

Q. In what employment are they engaged?—A. I could not tell you.

Q. Do you not know that they are engaged in giving their entire time and attention to this migration?—A. I do not know that; no, sir.

Q. Have you not met them in charge of companies of colored men on their way from North Carolina to the West?—A. Yes, sir; I believe they were.

Q. Did they not tell you they were?—A. Yes, sir; they told me that they were accompanying these people from North Carolina.

Q. What information have you of the demand for labor in Indiana?—A. Well, sir, now I don't want to go beyond the bounds of the exact truth. I want to come to an understanding whether the Senator wishes me to give my own knowledge personally, or simply my general knowledge derived from various sources.

Q. I want this either from your own knowledge or from information that you may have derived from others in Indiana; and if from information derived from Indiana, give us the names of those who informed you.—A. My general knowledge is this: I was raised in a farming section in Southern Ohio, in the same latitude as the interior portion of Ohio and Indiana; and I know there are many thrifty farmers in Ohio and Indiana, and that there is a demand for labor, in winter almost the same as in summer, for such work as chopping wood, cutting logs, and so forth. Knowing this to be the case in Southern Ohio, I have every reason to believe it to be the same in Southern Indiana; it is the same sort of a country, and there must be a demand for the same sort of labor. I know that the negro, from his docility, from his adaptiveness and teachableness, will make a better laborer and give better satisfaction than the tramp regency, or the Irish and the Germans; that they are more desirable, especially with the Quakers of the country. Besides that general information, I have had a number of communications from gentlemen who desire labor, and mention that they want "one good colored man," or "or two good colored men," as the case may be, or that they "can locate fifty colored men."

Q. Have you with you the names of persons who have written you such letters?—A. I have not with me.

Q. Will you bring them here?—A. I will. They are from good, responsible people.

Q. Do you know them personally?—A. I know of them, as I know of Senator Voorhees, or as I know of other men of whom I have frequently heard and whose character and reliability are perfectly well known.

Q. Where do they live?—A. In Indiana; I could not say exactly in what part.

Q. What county do they live in?—A. I could not state.

Q. Do you remember their post-office address?—A. I do not. I get letters from New York, from Ohio, from Pennsylvania, and from other States.

Q. Are you willing to give us the benefit of them?—A. Certainly, sir. A great many of them are turned over to Mr. Adams, the secretary of our society, because the secretary was the proper person to have them; but whatever I have you can have.

Q. Will you bring them with you to our next meeting?—A. I will.

Q. You say the demand for farm labor is about the same in Southern Ohio as in Southern Indiana; are you sending any of these people to Ohio?—A. Yes, sir; the last lot I sent out—there were eleven of them—I sent to Ohio.

To what part of Ohio?—A. To Bellaire.
Was there a demand for these men there?—A. I do not know, ex- ng this: We have been informed heretofore that it was a good loca- here for them; then we have been written to by some colored men that it was a good location.
Who has written to you to that effect?—A. Well, one of them is n M. Holland, a good engineering man in the last campaign. He ns the state of things there, and that good colored men and women l get employment there; and at his instance these persons were di- d there, not having money enough to take them to Kansas.
You say he was "a good engineering man in the last campaign"; ou mean by that the last political campaign?—A. I do not know, pt that he is an active man in the interests of the colored men.
To what other points in Ohio have you sent colored men?—A. ly to the river counties. The fact is, I have not had much to do forwarding men to any other point except Bellaire. I think some sent to Gallia County, and perhaps to two or three other points.
Have you the means of telling how many colored laborers you sent to Indiana?—A. No, sir; I could only approximate it in a that would be quite indefinite; we have sent a good many women children out there; in all, I should not be surprised if we had sent 2,500 to 3,000 persons to Indiana.
How many to Ohio?—A. It would be a sheer guess that I could e; only a few, as compared with the number sent to Indiana.
Half as many?—A. No, sir, I think not; perhaps four or five hun- ; perhaps not that many; they were sent out in little squads as ed and called for.
Who has been in the habit of going to Indiana to make arrange- s for these people?—A. I do not know, except by hearsay.
What do you know by hearsay?—A. I have understood that Will- and Perry have done the most of the going out with them and lo- g them.
Do you want this committee to understand that 2,500 to 3,000 men, n, and children have been sent from here to Indiana through the mentality of your organization, and yet you have no more knowl- of what has been going on at the other end of the line, in Indiana, f the people engaged in this business out there, than you have us here? Can you furnish us no names of persons connected with migrant Aid Society in Indianapolis, and no names of persons at castle, who are managing this matter?—A. With all deference to enator and the committee, and meaning no offense, allow me to at I want the committee to understand just what they choose he evidence I give; I have nothing to do except to give it to you urately and definitely as I can. I mean to say again that I have nection with any organization in Indiana, nor in any other State; have no further interest in the matter in the world than that I, as a nitarian, meet these people here, desire very much to do all I can p them go west, and get good homes there. I have no connection ny organization or anybody, and hope and believe that the peo- ere are imbued with the same spirit that I am, and will welcome and take care of them, which I hear they do; but when it comes ticulars, I cannot tell you definitely; I do not know the number ave been sent to Indiana with any exactness; it would be the t guess-work for me to say how many I have sent or been instru- l in sending.
You say that you are responsible for this paper here; for its state-

ments of fact and its sentiment?—A. I did not mean to put it in just that shape. I had something to do with the composition of the paper; Mr. Adams, our secretary, a young man of more or less literary ability, got the thing up; but I was in sympathy with it, and agreed with it, and approved it in the main; there might be some words or sentences that I would have had different if I had had the entire getting up of it. What I meant to say was, that in the main I am in sympathy with its sentiments.

Q. In this paper I find it stated that "It is well known that ever since the adoption by the people of the United States of those constitutional measures which conferred upon the late slave the rights of citizenship and suffrage, there has existed throughout some of the Southern States an incessant political and social strife." I wish to ask you, as a man of intelligence belonging to your race, and of information regarding their condition, whether there is "an incessant political and social strife," or *any* political and social strife, between the white and the colored population in North Carolina?—A. I do not know that there is.

Q. On the other hand, do you not know that North Carolina has been more friendly toward the colored race; has been more kind in its treatment of them; more liberal in its legislation in their behalf; and has actually done more for their benefit than any other State, North or South?—A. Now, Mr. Senator, that is a very nice little eulogy on North Carolina. Governor Vance, there, himself could not have done it up any better. It is almost equal to Daniel Webster's famous eulogy on Massachusetts, when he exclaimed, "There she stands." And, seriously, Mr. Senator, I will agree with you that North Carolina has been one of the mildest and most considerate slave States in the Union. She has gone beyond even Maryland in that respect; she has had more free negroes and has treated them better and with more consideration, even in the old times when slavery was still in existence, than any other Southern State; and since emancipation she has treated her colored population as fairly as could be expected of a master class toward their ex-slaves. It is not so much on account of the treatment the colored people have received from the whites as from a poverty of the principal material elements which constitute wealth and contribute to comfort that makes North Carolina a grand good State to emigrate from. I do not mean any reflection on the character of the people; the trouble is in the soil. I would not think of living there. If I were a white man and were able to do so; that is, if I had the wealth so that I could, and the privilege of doing so, I would go down to North Carolina and would educate and instruct those negroes, not with reference to politics or religion or social systems, but I would say to them, if you want to educate your children to be men, to imitate the white race, to own property, to become successful in life in any respect, you must leave this poor, wretched, God-forsaken country, where the soil does not seem able to sprout black-eyed peas, and go out into the broad, rich, fertile West, where they can buy farms on those alluvial prairies at a less price per acre than the rent that they pay every year down there. It is not from any hostility to the white people, but for the good of the black people, that I urge them to get up and get out from that State.

Q. Mr. Wall, have you ever looked at the census returns of North Carolina and noticed the productiveness of that State? If you have, I am sure you would not make any such sweeping assertions as you have, that the soil is not capable of raising "black-eyed pease." Did you ever examine the census returns of North Carolina as regards its productiveness?—A. O, yes, sir; I certainly have; I love the State——

Q. Have you looked at the census returns because you love the State? —A. I judge mainly from my own general knowledge of the State and the condition of the people there.

Q. Aside from the barrenness of the soil of North Carolina, point out some other evils that you think the people will be relieved of by going to Indiana.—A. The next thing, and the most important thing to me, is the education and schooling of the children. I am told, notwithstanding the statements that the State has been very liberal in the establishment of schools, including normal schools, and did for a time seem to make an effort in the direction of popular education, that, either because they have not the disposition or because they have not the ability, they have ceased to take that sort of interest in furnishing school privileges that they started out with. At all events, I am satisfied, from statements received from reliable sources, that they do not, in the rural districts, give the children more than about three month's schooling in the year; and I guess few of them have that. And from the fact that the school privileges there are not so good as they are in the North generally, I would urge them to leave there and seek some place where their children can find better opportunities for education.

Q. What is your understanding of the school laws of Indiana, in regard to colored people?—A. I understand that they have schools for the colored children the same as for the white, except that where the distance would be too great for colored children to go to their own schools they and the white children can go to school together. In other words, they have separate schools where it is convenient and they can afford it; and otherwise the children all go to school together. At all events, I understand that in some way the colored children can get schooling for at least six or eight months in the year.

Q. Are you not aware that practically it is not true in Indiana that the two races go to school together? (Here the chairman entered into a somewhat detailed explanation of the law, the facts, and the decision of the supreme court, in Indiana, and then continued):

Q. Now, I want to ask you whether you are aware that there is a law in Indiana making a landlord's lien on half a man's crop, so that he can not move it or sell it until he has paid his rent? Are you and your folks aware of that?—A. No, sir; and it would not make any difference to my purpose if it were so, if white and colored men were treated alike.

Q. I would like to have you point out the advantages of Indiana over North Carolina as regards the treatment of your people.—A. I am not particularly conversant with the laws of either State; but I know something of the disposition of the people of Indiana, and their ability and willingness to help and aid; their friendliness is about all the matter I have considered.

Q. Then Indiana is regarded as friendly in tone and temper toward the settlement of negroes there?—A. No, not entirely; The southern part of your state, your "Egypt," is to be more dreaded, I would say, than even Kentucky. But in the interior there seems to be a very different sentiment.

Q. What do you mean by "Egypt"? Do you mean Evansville, and the parts around there, where they cast about 1,500 negro votes, by colored men brought over from Kentucky?—A. No, sir; I mean the portions where the Democrats have been in the habit of bringing white Kentuckians over by the thousand to help carry the State for the Democratic ticket.

Q. Please be explicit, and state the counties where they have been

in the habit of bringing Kentuckians over to vote the Democratic ticket.—A. As I said, Mr. Senator, you must not confine me to specific details in these matters. I have read statements in the papers, and have received information from gentlemen in whom I have every confidence, as to your "Egypt," and the method of carrying elections there.

Q. Are you aware that "Egypt" is not in Indiana—that the term is never applied to any portion of Indiana, but is applied exclusively to the southern portion of Illinois?—A. I have heard it applied to the southern portion of Indiana and Illinois both.

Q. Are you aware that Mr. Heilman, the Republican member of Congress from the first district of Indiana, was elected from the most southern Congressional district in the State, embracing half a dozen counties lying next to Kentucky? Are you aware that more of the counties along the river are Republican than Democratic?—A. I have given no testimony on that point, for I have no knowledge regarding it.

Q. I wanted to see, Mr. Wall, whether you could give an intelligent account of the difference between the legislation in favor of your race in Indiana and in North Carolina; you say, however, that you do not know of any political or social strife in North Carolina since suffrage was bestowed on the negro?—A. I did not want to be understood as saying that all the difficulties there were social or political, but that I knew of no particular, exciting, special war or strife between the two races.

Q. You say in this paper, "The disposition to escape beyond the reach of oppression has of course been greatest among the colored people residing in those sections of the South wherein their opponents have displayed the least regard for their rights to 'life, liberty, and the pursuit of happiness.'" What part of North Carolina is this emigration from?—A. I think it is from the northeastern part.

Q. Do you know what counties?—A. I think I have heard them mentioned, maybe, but I cannot name them now. The emigrants have been mainly, I have understood, from the neighborhood of Goldsborough.

Q. You have been among these people as they passed through?—A. Considerably.

Q. Did they not tell you what counties they were from?—A. Some of them may have done so, but if they did I do not remember now.

Q. You are a North Carolinian yourself?—A. Yes, sir; but I have been away from there a long time. They did not come from any counties where I am acquainted. I think the name of one of the counties I heard mentioned was Lenoir County.

Q. Do you understand that this tide of emigration is started in North Carolina from those points where the white people oppress the colored people the most?—A. Do you mean more than in other parts of the South?

Q. No; more than in other parts of North Carolina. Does this emigration come from parts of that State where the white people treat the colored people more unjustly than in other parts of the State?—A. Well, now, I think they treat them quite unjustly there——

Q. Quite unjustly in what way?—A. I think they treat them unjustly in the way they take advantage of them in paying them for their labor.

Q. How do you know they take advantage of them?—A. I know it, because I have it directly from the mouths of many intelligent, honest-appearing men who have come from there.

Q. How do they say the white people take advantage of them?—A. Well, quite a number of them have told me that when they work out they can get but about thirty cents a day for their labor. And when they

at little patches or portions of ground, on shares, or when they rent d pay so much a year for the land, though they have worked there w for twelve or fifteen years, ever since emancipation, they stand st where they did before; they haven't anything. Then they have ld me about the process of dealing with them—their being paid for eir work in the orders that were spoken of by Mr. Cromwell the other ay. After they have made four or five bags of cotton, and so much rn, or whatever else they may be raising, at the end of the year their ders have accumulated and aggregated in amount so that their landrd or employer, the man from whom they rent, who has the measuring id weighing of the crop, and the handling and calculating of these ders, makes it out, somehow, so that they not only have nothing, but re in debt, with a mortgage on them, as one might say, for the future.

Q. Have you sufficient knowledge of the world to know whether the ame thing is or is not true of large numbers of persons in other places, erywhere, white as well as black; or does everybody get rich outside f North Carolina?—A. O, no, sir, not everybody; but in most places, nybody that is hardworking and economical can manage to save up omething.

Q. Is it not true of the laboring class in all portions of the country, o a large extent, that at the end of the year they are still behind; is ot that a very common complaint everywhere?—A. Mr. Senator, I will rankly give you my reasons for concluding that there is something rrong about this matter. I understand a little about human nature. The master class, who have for two or three hundred years held these olored people in abject slavery, have not so soon lost all their feeling of uperiority and ownership and their determination to get and to keep he upper hand of them. Human nature does not change so suddenly ut that, if this class to a man remain right there, in the same locaties, and in the same relation as servants, as abject hewers of wood nd drawers of water, the upper class, with their dislike of labor and heir contempt of laborers, are not likely to be so pure, so immaculate s to treat these people fairly and as their fellow-men. This is not to be xpected; and when I hear these statements of unfair and unjust and ppressive treatment from dozens and hundreds of people, bearing upon eir countenances the seal of wretchedness and the impress of despair, hold myself justified in believing it to be true. If it be a fact that e white population of the South cannot do any better by the colored ople than they do—if, on account of the poverty of the soil, they nnot do any better—that does not make it any the less their right to ave such a country, nor any less their duty to move to some better e, which will afford them greater advantages in life for themselves d their children.

Q. In regard to this matter of a change of sentiment toward the coled people, are you aware that within the past twenty-five or thirty ars the people of Indiana have voted, by a majority of seventy-five or ghty thousand, against permitting colored persons to come into the ate?—A. I was not aware of it; I am very sorry if they ever did such hing.

Q. I find you stating, in this circular of yours, that "he desires to es pe from the South in time to avoid the unpleasant experiences of a esidential campaign, and even before the census-taker shall have used s name to swell the Congressional representation of that section"; is your purpose in that to advance the idea that this migration would t down the Congressional representation of the South generally?—A. at was not my primary understanding at all.

Q. Why was it inserted there, then?—A. Because, while that was not the primary object in view, still I think it would be right to do that very thing.

Q. I am not asking you whether you think it would be right or not; I am asking in regard to the fact. This movement, then, would have some connection, would it not, with the basis of representation, North or South?—A. I think that would be an incidental result, following in the lead of this greatest of all considerations—that of getting them away for their own good, for humanity's sake.

Q. Speaking of this transfer to the North you say: "There, too, his right of suffrage will not be contested or abridged; and if the 'solid North' is in reality to be arrayed in political contest against a 'solid South,' his vote, freely cast, may one day prove a potent force in saving the nation from the evil designs of his former persecutors." You say this in your circular; and yet you say that this migration, so far as your society is concerned, has no political end in view—that there is nothing political about it?—A. Nothing whatever.

Q. This statement, too, is here in this paper incidentally?—A. Yes, sir.

Q. And the allusion to his casting his vote against a "solid South" is also here incidentally, or accidentally—which?—A. I don't know whether it is incidental or accidental; what I meant to say was this: that in the North the colored man will not have to pass through those scenes that he has to pass through in the South; there is no use in denying these things, for these colored people have lived there and know about these things; in the North nothing occurs of this intimidating, and white liners, and night-riders, and ku-klux.

Q. Do you mean that there are white-liners, and night-riders, and ku-klux in North Carolina?—A. I do not know particularly about North Carolina.

Q. You speak of going North, where the right of suffrage is not abridged; is the right of suffrage abridged in North Carolina any more than in Indiana?—A. I think so.

Q. Do not misunderstand me, Mr. Wall; in my examination of you I am not trying to catch you in any way, or to get you to agree with me; I simply want to get your explanation of things; I want to find out what you know with regard to this emigration movement. You say, here in this appeal of yours, "Judging from the numerous petitions for aid, and from other intelligence received from various sections of the South, this migration movement is as yet in its incipiency"; that is, only in the beginning; is that your idea in regard to this movement?—A. That is what I think, sir.

Q. Now, I want to know from you, one of the leading men in this matter, and one of the most intelligent, your idea of the scope, of the future, of this migration; to how great an extent you contemplate or anticipate a removal of the negro from the South to the North; whether you expect all the colored population to leave, or but a part of them; and if a part, what part; and where from, and where to; and within what time; give us any facts that you may have bearing upon these points.—A. Well, I have two or three theories. One is this: the colored people have now got a knowledge of their right and privilege to remove themselves from one part of this country to another; they have learned that there is a vast domain in this country as yet unpeopled and unsettled; as they become more intelligent, the same laws which govern any migration, which for the past century has governed the migration of people from the oppressed countries of the old world to this country,

will control this migration of the colored population from the South. They will escape from that section, where they must bear a menial relation, it seems to me, so long as they remain there, to the Northern and Western States, where at least a portion of the people are kindly disposed toward them, and where they will possess the great advantage of taking up the soil and becoming owners of land; and encouraged by the progress of these, and the improvement in their condition—which will advance all the time—and the increased friendliness which will result from their proving themselves to be honest, industrious, and worthy people, others will follow them, in greater or less numbers, as they find their conditions more or less unpleasant and unsatisfactory in the South. In that great agricultural portion of the country, where they need the labor of the negro, finding him docile and diligent and trustworthy, they will become attached to him, and will prefer him, as the old master class of the South does, to the foreign class of white labor. And as he finds himself well received and well treated, as he finds work to do and pay for his work, and as these facts are learned by those of his race whom he has left behind in the South, the migration will increase in double ratio. In regard to this matter of climate, I had a talk with Senator Lamar the other day; he said he had no fears of the negro not doing well in the North; he opposed the exodus on other grounds, but not upon that; for the other advantages he would have in the North would more than counterbalance any disadvantages that might arise from the rigors of the climate.

Q. If I understand your explanation, you expect this transfer of population to become, in the course of time, quite general and extensive?—A. Yes, sir; I would say that; but I do not expect the South to be depopulated. I think, if a great many of them were removed, it would be better, both for those who leave, and for those who remain in the South.

Q. Of course it would not depopulate the South?—A. I meant, of course, so far as colored people are concerned.

Q. Your view is, then, that there is to be an extensive movement, to continue for a good while in the future?—A. Maybe I can make myself clearer to the Senator by an illustration like this: There has for many years been an influx of immigration from Ireland; a certain percentage every year—increasing when they have hard times in Ireland, and diminishing when there is less distress there. In about the same way, this exodus having now commenced, will be apt to continue, serving as a sort of outlet, where the colored people will go to benefit themselves, as people come from other countries.

Q. Do you know to what extent this emigration is to go to Indiana?—A. No, sir; nothing definite.

Q. Do the negroes that are now going to Indiana intend to make that State their permanent home?—A. I think so.

Q. Have you not heard it stated, or suggested, that they would remain in Indiana until next fall, and then go on farther west, where there were government lands—possibly to Kansas?—A. I have never heard anything of that sort. I have said to them, go to Indiana, where you can find good homes, and a hospitable people; and it may be that after a few years, when you have accumulated something, if you want to you can go farther west, where you can buy lands cheaper; but this has never been a doctrine of mine.

Q. Have you ever seen any circulars stating to the colored people that they must get to Indiana by the first of May next?—A. Never.

Q. Have you ever talked with Perry, or Williams, or Scott, upon that

subject—that they ought to get there by that time, or ought to get there next spring?—A. No, sir.

Q. You have no particular reason, then, for hurrying them through during this cold season of the year?—A. Yes, sir; to get where the people are friendly to them, and to find good places to work.

Q. What arrangements have you made with the railroads for transporting these people to Indiana?—A. I have made no arrangements at all.

Q. Did you ever talk with the officers of the railroads on the subject?—A. Yes, sir.

Q. Did you see Mr. Foreman?—A. He was the principal man I saw.

Q. What position did he occupy?—A. He was the agent.

Q. Of what road?—A. Of the Baltimore and Ohio.

Q. Do you know Mr. Dukehart?—A. Not especially.

Q. Mr. Foreman is the passenger agent?—A. Yes, sir.

Q. Did you go to see Mr. Foreman, or did he come to see you?—A. He has been to see me several times, and I have been to see him several times.

Q. What has he been to see you about?—A. To see if I would send these people by his road.

Q. Did you receive a proposition from Mr. Foreman for carrying those people?—A. Yes, sir.

Q. Did you receive a proposition from the Baltimore and Potomac Road?—A. Yes, sir.

Q. Through whom?—A. Through their agent, Mr. Janowitz.

Q. You mean a proposition for the transportation of these people to Indiana?—A. Yes, sir.

Q. Which made the best bid?—A. I can tell the Senator something better than all this, for I went to see the grand moguls of the railroads themselves.

Q. Who were they?—A. Mr. Cole, of the Baltimore and Ohio Road, and Mr. Young, of the Baltimore and Potomac Road.

Q. What arrangement could you make with Cole, of the Baltimore and Ohio?—A. I went up in the interests of this organization of ours, feeling that every penny we could save these poor people it was our duty to do it. I went up to see the very best that could be done. The Baltimore and Ohio people received me nicely, and said they would carry the emigrants from Washington to Indianapolis for $9 a head. I said, "Could you do it for no less?" They said, "No, but we will tell you what we will do; we will give you a drawback of one dollar a head." I said, "Is that your very best?" They said, "Yes, it is." Then I went to see what the other road would do. I went to see Young and he treated us outrageously, because some days before fifty colored men, with whom our society had nothing whatever to do, had been sent by the Baltimore and Ohio Road, which they were trying to get; he swore and cursed, and said he did not care about carrying any of them anyhow; he said that he had written to his subordinate here his best terms, and that we could go to him and learn them. He said we had had the other road carry the other lot, when they had been partly promised to his road, and they might as well carry these too. I saw he was feeling a little dyspeptic and not nice, and we came away. I had said to Cole before that unless we could do better by the other road we would send these men by his; that is, such men as we had on our hands to send. Some came and went right through, without our having anything to do with them. We were only managing our own little matter here. When I got back I said to the agent of the Baltimore and Potomac that I sup-

ıed he had stated his best terms to me. He said, "Yes, sir; I could ıt do any better." So the terms of both roads were precisely the same.) we went down and concluded the arrangement with the Baltimore ıd Ohio Road, so far as our little organization was concerned; that is, henever we raised the money ourselves to send a lot out. When the migrants paid their own way, we never had anything to do with it in ny shape. Then they questioned us, the railroad men did, as to what hould be done with the drawback money—the dollar apiece on each assenger. We said, "You must not pay a cent of this money to any f our men, but make a contribution of it to our organization." So this lrawback money was paid back into our treasury, to be used in the ıurchase of tickets for other emigrants. And we have our books and ickets, with oaths, to show the same.

Q. Have you ever offered anybody a dollar a head for getting emi-grants?—A. Never.

Q. Or 75 cents a head?—A. No, sir.

Q. Do you know Mr. W. C. Chase?—A. Yes, sir.

Q. Did you ever have any such conversation with him?—A. No, sir; Never in my life.

Q. Where did you get the money which you pay out for the transpor-ıation of these colored people from here to Indiana, over the Baltimore ınd Ohio Railroad—the $8 dollars a head, and the drawback; do you get that entirely by contribution?—A. Yes, sir.

Q. Those contributions are from Washington?—A. Yes, sir.

Q. Have any been receiving any from outside of Washington?—A. We did get, through Mr. Douglass, $250 from Miss Elizabeth Thompson, ı philanthropic lady of New York.

Q. Can you tell who your principal subscribers to this fund are in his city?—A. I do not know that I could. One reason why I do not know is that from the very inception of our organization I have partic-ularly insisted that nobody, neither myself nor anybody else, should ouch a cent of those contributions.

Q. Have you canvassed for money yourself, or have others done that ɔr you?—A. I do not know whether others have or not; I think noth-ıg of the sort has been done except at public meetings which have een held.

Q. Do you know Mr. Dukehart, passenger agent of the Baltimore and hio Railroad?—A. I have met him.

Q. Where is he now?—A. I do not know; I suppose he is at work in e interests of the road.

Q. Where is he at work?—A. He seems to go from this city down ıuth.

Q. Are you not aware that he goes from this city down to North Car-ina to stir up this emigration business?—A. He goes down south, but ıt, I think, to stir it up; I asked him particularly not to stir it up, but let it all be spontaneous.

Q. Your understanding is that he goes down into North Carolina to ɔk after this business?—A. Yes, sir; he said to me that he staid at at end of the route attending to passengers and emigration; I asked if had ever urged or encouraged the colored people to come north; he id no, he had strict orders not to do that; then I told him that so far our society was concerned, we wished nothing of the kind; we wished e movement to be entirely voluntary.

Q. He attends to passengers and emigration?—A. Yes, sir.

Q. Do you not know that he passed through here with a lot of col-ed passengers three or four days since?—A. Yes, sir.

Q. Do you know where he is now?—A. No, sir.

Q. Do you know whether he is in North Carolina or Indiana?—A. No, sir; I only know that he is engaged in this business, and generally at that end of the route, down there.

Q. Mr. Cromwell said in his testimony day before yesterday, that when these colored people first came here they intended to go on to Kansas, but that after they got here they changed their plans, and concluded to go to Indiana; do you know anything about that?—A. A little; what Mr. Cromwell said did not have any effect on me, because he was not very clear about some things. In the beginning of the matter, two agents, or men who claimed to be agents, came here with long petitions, stating where they had held meetings down there, and had concluded to go somewhere. Up to that time, we had not had the slightest knowledge or least idea of people coming here from North Corolina. Well, these two young men came here and staid a few days, and while they were stopping here and trying to get acquainted with our little organization, our society, their attention was directed to somebody, and that somebody directed their attention to Indiana, stating that there were opportunities and places there for labor, and very kind people, especially among the Quakers; but I did not see these young men then, nor for a month or six weeks after they had come here, and had left here, and made arrangements to have their people go to Indiana, till they had gone out there and canvassed the State, and been all over it investigating the condition of things, and the feelings of the people, and had concluded to locate a number of emigrants there. I did not see these persons myself till this emigration from North Carolina was fully inaugurated, and the people from there were already going to Indiana.

Q. Did you show them any of those Indiana papers, encouraging immigration to that State?—A. No, sir; I had no such relation with them.

Q. You made a remark in relation to Mr. Cromwell's testimony. Did you not regard his statement as reliable?—A. Yes, sir; but there were some matters that I thought he did not make very clear. There was one thing in particular that I thought he did not make very clear, although I was sure that he knew all about it.

Q. State what it was.—A. It was this: When he was asked in regard to paying off the colored people in orders, how they were affected unfairly by that mode of payment, he did not explain the matter as clearly as I thought he might. He has been present when these poor people explained this, and I thought he might have made the injustice of it appear a great deal clearer.

Q. Will you explain that matter to us on Friday, when you come here to bring us those records?—A. Yes, sir; I cannot promise you a great deal in the way of records; but I will look up what I have. As I have said before, I turned over the most of them to Mr. Adams.

TESTIMONY OF A. M. CLAPP.

A. M. CLAPP sworn and examined.

Question. Please state your name and residence.—Answer. My name is A. M. Clapp; I reside in the city of Washington.

Q. What is your occupation?—A. I am connected with the Daily National Republican.

Q. In what capacity?—A. As editor.

Q. I find your name on this paper as treasurer of this organization—the Emigrant Aid Society; state how long you have occupied that position in that society.—A. I think that some time last April I was called upon by Mr. Wall, and asked if I would serve as their treasurer. At first I declined, and said "No"; that I did not care to have anything to do with it. But he said that he had been requested by a great many to ask me to consent, and finally I consented, and have since acted as treasurer of the society.

Q. What have been your duties in your capacity of treasurer of this society?—A. To receive contributions or money from whatever source derived.

Q. What moneys have you received?—A. It was, I think, on the 6th of May that the first contribution to the funds of the society came into my hands; it was the proceeds of a public meeting held in behalf of the emigrant aid project.

Q. What was the amount?—A. Thirty-nine dollars.

Q. What have you received since that time?—A. I have received, at different times since, in contributions from individuals or churches and societies, I could not tell precisely how much, but I think sixteen hundred and odd dollars, all of which has been paid out, and ninety-eight cents more, on orders drawn by the president and secretary of the society, up to the time that they resorted to an auditing committee. Since then no money has been expended except on orders signed by that auditing committee. The money was paid out on those, and delivered to the persons bringing me the orders.

Q. Please state the objects of those expenditures for that amount.—A. Some of the money has been expended to defray the expense of halls for meetings; some of it ostensibly for printing; a small portion of it for taking care of the emigrants while they were here in indigent circumstances; some of it for transportation; all as set forth in the orders.

Q. The largest amount was to pay for their transportation?—A. Yes, sir; the greatest amount was for transportation.

Q. Can you give the committee, from the amount of money you have expended, about the number of people that have been transported by this fund from here to Indiana?—A. Well, I would not like to make any statement without reference, and I have no data with me just now, because I did not know what the scope of your inquiries would be. I will furnish the committee, if they desire it, a particular statement.

The CHAIRMAN. I wish you would do so, stating especially the amount expended for transportation.

WITNESS. Do you want a full and detailed report regarding the fund?

The CHAIRMAN. No; simply a statement that so much has been received, and that it has been expended as follows, so that we can see for what it has been expended. And now please state whether you have taken no other duties upon you in connection with this emigration matter, besides acting as treasurer of this society, and disbursing its funds.—A. Not at all; I have not had anything to do with it, beyond that.

Q. I suppose, from your acting as an officer of this society, that you in the main approve of its purpose?—A. I approve of affording every facility to every American citizen to go anywhere that he chooses to go within this country; and if he is not satisfied where he is, and the public thinks it is for its good to aid him, or any society thinks it is for his good to aid him in his purpose to go elsewhere, I would not interfere with their doing so.

Q. In this instance, I conceive that you deem it to be for the public interest that this transfer should take place, or you would not be connected with it?—A. I do not know that it is for the public interest so much as for the interest of the persons who are engaged in the migration.

Q. You were a citizen of New York before you came here?—A. Yes, sir.

Q. Have you ever been in Indiana, to remain for any length of time?—A. I have passed through there; I have never spent any time there.

This witness, at the next meeting of the committee, sent in the following statement:

WASHINGTON, D. C., *January* 22, 1880.

Hon. D. W. VOORHEES,
Chairman of Exodus Investigation Committee:

SIR: In pursuance of your request I present the following abstract of my account, as treasurer of the Emigrant Aid Society, and to correct my statement of yesterday, made from recollection:

Received from all sources, from May 6, 1879, to January 10, 1880			$2,021 08
Expended as follows:			
Nov. 20.	For transportation of emigrants, as per vouchers	$170 00	
Nov. 23.	For transportation of emigrants, as per vouchers	63 00	
Dec. 9.	For transportation of emigrants, as per vouchers	540 00	
Dec. 10.	For transportation of emigrants, as per vouchers	270 00	
Dec. 16.	For transportation of emigrants, as per vouchers	468 00	
Dec. 19.	For transportation of emigrants, as per vouchers	170 00	
Dec. 26.	For transportation of emigrants, as per vouchers	20 00	
	On sundry vouchers for other expenses	315 06	
			2,023 71
Excess of receipts			2 63

Very respectfully,

A. M. CLAPP, *Treasurer.*

On motion the committee adjourned to January 23, 1880.

THIRD DAY.

WASHINGTON, D. C., *Friday, January* 23, 1880.

The committee met pursuant to adjournment. Present, the chairman and all the members. The taking of testimony was resumed as follows

O. S. B. WALL recalled and examined.

By the CHAIRMAN:

Question. Mr. Wall, you stated the other day that, in your judgment, some twenty-five hundred, perhaps more, colored persons had emigrated from North Carolina to Indiana up to this time?—Answer. Yes, sir; but I do not wish to be understood as pretending to be accurate in that; I have not kept any account of numbers.

Q. We do not expect that; you say that is your approximate estimate.—A. I think so; those that have passed through this way and in other ways from North Carolina to Indiana.

Q. What proportion of them were able to and did pay their own way from North Carolina to Indiana?—A. I should say one-half at least; more likely two-thirds.

Q. That would leave one-third to be provided for?—A. Yes, sir; I would qualify that in this way: We have never paid anybody's way

from North Carolina here, to my knowledge; our assistance has been from this city west.

Q. Now, repeat your answer.—A. I mean to say this: To my own knowledge I think I can state positively there never has gone a dollar from us out of the city, or to help anybody to come to this city—to this District; but that our assistance has been to persons passing through.

Q. To Indiana?—A. No; not to Indiana specially, but to persons stopped here and unable to go further.

Q. Where did you help them to?—A. To Kansas, some of them.

Q. Did you help anybody to Kansas?—A. Yes, sir.

Q. How many?—A. I cannot say now.

Q. A dozen?—A. I cannot say; perhaps more.

Q. Did you help as many as fifty?—A. I cannot say, and I do not care to be put on record as to the number. I have not attended so much to the details of this matter as to having its general supervision.

Q. Very well; that is an answer. You think there were more than a dozen?—A. Yes, sir; more.

Q. You stated to the committee that you had made a certain arrangement with the railroad officials, namely, "to Indiana $9 a head and $1 drawback"; did you make a similar arrangement to Kansas?—A. No, sir; I think before I interposed with the railroads those going to Kansas had gone on.

Q. Do you know on what terms the railroads took them to Kansas?—A. No, sir; I do not.

Q. Do you know what the fare of a colored emigrant to Kansas is from here over any line of road?—A. I think that to any prominent place there, such as Topeka or Lawrence, it is $19 or $20 for emigrant fare.

Q. Did you ascertain that by talking with the railroad officials?—A. No, sir; but by looking at a chart I got from them with the emigrant rates printed on it.

Q. Did you go and make these arrangements yourself?—A. No, sir; not specially. I was at the office talking to Mr. Coleman, and I asked him about it; not particularly as to Kansas, but what the contract would be to all important points.

Q. But you state that the assistance, the pecuniary assistance, given to these emigrants by your society has consisted in helping the people to go to Indiana?—A. No, sir; to Indiana and elsewhere.

Q. Where else?—A. We have assisted them to several places. I do not understand all the places.

Q. We will get along faster, Mr. Wall, if you will give direct answers to my questions.—A. I want to be explicit, Senator.

Q. Now where did you help them to?—A. I think in several cases to Kansas, and I know in several cases to Ohio, and I know principally to Indiana.

Q. Did you not state a while ago that you did not assist any of these emigrants to Kansas, and that most of them who had gone through here to that point went with individual assistance?—A. I did not, and if I did, I wish to correct it.

Q. Then you state that you assisted, or the members of your society did, emigrants on their way to Kansas?—A. No, sir; I wish to be correct. That was before I made the arrangement with the railroads. I mean now what the society has done. We had several cases, more than a dozen perhaps, in which we assisted people to Kansas.

Q. I asked you in that connection how much it cost to take them to Kansas, and you answered $19 or $20.

Senator VANCE. I think it is $19 or $21.
The WITNESS. Yes, sir; I think it is $21 now.

By the CHAIRMAN:

Q. You say about two-thirds of these people transported themselves to Indiana?—A. Yes, sir; that is my idea.

Q. That would leave you some eight hundred to be provided for?—A. Yes, sir; about one-third, at $9.

Q. Now, how much did that call for?—A. The eight hundred, do you mean?

Q. Yes, sir; eight hundred, at $9 a head.—A. I could not state, and, if you will permit me, I will tell you, Senator——

Q. No, no, Mr. Wall, just tell me how much eight hundred, at $9 a head, would amount to. Cannot you do that?—A. Yes, sir; when I was a very small boy I could do that.

Q. That is what I ask, and I want you to answer.—A. Yes, sir; but we did not pay that amount.

Q. I want you to give me the figures.—A. Yes, sir; but we did not pay but $8 a head.

Q. Then how much would that be? I will give you a chance to explain afterwards.—A. That would be about $6,400.

Q. Now, if you want to explain that you did not pay that amount you can do so.—A. Well, sir, we did not pay that amount from the fact that a great proportion of those would go upon half-fare tickets, and others were children who did not pay a cent.

Q. Did the Baltimore and Ohio Railroad carry a number of people to Indiana for nothing?—A. Yes, sir; a great many of them.

Q. By whose authority?—A. I do not know, sir.

Q. Did you see Mr. Garrett about it?—A. No, sir.

Q. Did you see Mr. Cole, the general passenger agent?—A. Yes, sir.

Q. Did he tell you they would take them for nothing?—A. No, sir; he certainly did not.

Q. Why, then, did they do it?—A. Because on all railroads babies are not charged for, and between five and twelve years of age they go on half fare, and I think that is the general rule not alone to negro emigrants.

Q. Of those eight hundred can you tell how many were women and children?—A. No, sir; I cannot.

Q. Can you tell us anything more than Mr. Clapp has as to how much money was paid for the transportation of women and children?—A. No, sir, I cannot.

Q. Now, Mr. Wall, at a former meeting I asked you if you would be good enough to bring the reports of the society and what letters and correspondence you had relating to this exodus movement; have you them with you this morning?—A. I have not this morning, Senator. There was a small sort of mishap by which I do not have them. I asked the secretary to let me have them, Mr. Adams not being here. I asked his brother-in-law, who is in the Treasury, to let me have what Mr. Adams had; but by some mishap I did not get them until I started up to the committee, and I did not have time to assort them. I will bring them as soon as they are assorted over, and I find out what has to do with the emigration society and what has not.

The CHAIRMAN. Mr. Vance you may ask Mr. Wall any questions you desire.

By Senator VANCE:

Q. Just a few. Mr. Wall how long is it since you have been in North

Carolina ?—A. I do not believe I have been in the State—I guess it has been sixteen years; it might have been more than that.

Q. You have not been there for some time then ?—A. Not for a good while.

Q. Then you do not know anything, of your own knowledge, about the condition of the colored people down there of course, not having been in the State ?—A. I do not know, governor, of course, from being in the State, but I know as to the condition of the colored people there.

Q. You do not know it from personal observation from seeing it yourself ?—A. No, sir, except from seeing people from there.

Q. From whom did you derive your information ?—A. From perhaps a dozen of those emigrants, who were very intelligent men—candid, sober men.

Q. That is from those emigrants passing through here leaving the State ?—A. A portion of it; yes, sir.

Q. Have you derived any of your information from intelligent white men of the State ?—A. I do not call to mind any time where I talked to a white man from the State; but I have read the papers and talked with intelligent colored men other than emigrants.

Q. In reply to a question of Senator Voorhees, in relation to the landlord and tenant act of Indiana, you stated that you did not care anything about it, that it applied to all colors ?—A. I said, if it did.

Q. Do you know anything to the contrary, that the laws of North Carolina do not apply to all colors ?—A. No, sir; but I know of no law passed that would benefit many white people that would benefit but very few of the colored people. There are many laws passed in those States where it is the meaning and intention of the legislature to apply them to the colored people.

Q. You place that on a supposition; and in speaking of the landlord and tenant act, you suppose that very few tenants are whites ?—A. I do not know, sir, that I think that; but there are a great many circumstances that go to make up the facts of a man's opinions. I know that my father was a great slaveholder, and on his plantations there were many poor whites. The number of poor whites was small compared with the slaves, and I have thought that since the war there would not be many poor whites without some land.

Q. You mean compared with the negroes ?—A. Yes, sir; if all remained there as they were during the slave time.

Q. You also stated, Mr. Wall, that North Carolina did, for a while, seem to take an interest in the emigration of the negro, and that that interest had sort of died away ?—A. I think I did say something to convey that impression; that last year, 1879, they were not dispensing so much education to blacks as when the education law was passed.

Q. Have you seen the last report of the superintendent of education ?—A. No, sir; I wish I could see it.

Q. Do you know, as a fact, that the number of colored children attending the schools has been increasing from year to year ?—A. No, sir; but I should not be surprised if it were so.

Q. Do you know the amount of taxation authorized by the State for common schools this year ?—A. No, sir; I have seen no report of it.

Q. Then you have no report from which to say that education in the State is not increasing ?—A. I respectfully beg to differ from the Senator. I think I had information.

Q. Was it from documents, official reports, and things of that sort ?—A. I think that would be the best evidence, but I do not consider there is no other way of knowing the fact.

Q. Well, you have no information, I believe you said, that the colored people had been subjected to any political persecution in North Carolina?—A. No, sir; not as we understand it to be in Mississippi and Louisiana, where they are treated very badly. There is not that sort of treatment in North Carolina; but I have heard a number of these emigrants say that in various ways they have had intimidation and things of that sort. I have never made that question in the society giving aid to emigrants.

Q. Did you ever hear of colored people bulldozing each other?—A. No, sir; I have not; but I should not be surprised if they did do it.

Q. You should not be suprised if they did; do you know if a colored man voted the Democratic ticket if his own people bulldozed him and subjected his life to danger?—A. No, sir; I do not know as I ever heard of an instance.

Q. Do you know that the laws in North Carolina make any difference between colored people and others?—A. No, sir; I know of no law that does that.

Q. Do you know that in Kansas, to which you have been helping these people, that the word "white" is in the constitution, and that they do not prevent colored people from voting?—A. No, sir; I know of no differences there.

Q. Do you know that the word "white" is in the constitution?—A. No, sir; I do not.

Q. Do you know that in 1866 the word "white" was in the constitution, and the people objected to striking it out by a constitutional amendment?—A. No, sir; I know that it was when Kansas was a Territorial State, but I do not think there are any distinctions made there now; but if you tell me that it is there I shall believe it.

Q. I said it because I was asking you if you were sending people to a State with the guaranty of all their rights where the word "white" is in the constitution?—A. I do not know, sir, as to that.

Q. And all this that you have testified about the wages of laborers and the paying of them in store-orders and their coming out at the end of the year without money, you got all that from the colored emigrants?—A. Principally; yes, sir.

Q. Do you know from farm operations generally that a farm is sometimes from fifteen to twenty miles from town and that the colored people frequently cannot go to town to make their purchases, and these colored stores are established for the mutual convenience of the landlord and tenants, and these advances are made to them for their own accommodation? That is not an unusual thing, is it, in such places where farming is carried on?—A. No, sir; I believe not.

By Senator WINDOM:

Q. Of what class is your society composed, white or colored?—A. Colored people, sir.

Q. In what proportion?—A. I do not know as we have a white member, except Mr. Adams, and he is not here, and has not been here for some time. I do not know whether Mr. Mendenhall considers himself a member. If he does, he is a white man.

Q. What was the motive and purpose of organizing this society?—A. In the first place we thought of the condition of the colored people in the District of Columbia; that there was a great many of them here, far more than had enough to do, and that Congress was making appropriations for their support from year to year, and they were the recipients of government charity. I think I sent a communication to Con-

ess at one time that the colored people could not be made a good peo-
e so long as they were the recipients of charity, and inasmuch as
ey themselves would not like to raise their children in this way, in
at spirit of self-supporting independence I asked Congress to make
ı appropriation to help us get them West and settle them, and bridge
em over for a year or so, taking a mortgage on their lands. I thought
would be best for the country to do that instead of feeding them with
up here in the city from year to year.

Q. Was this society organized before there was any movement of the
olored people from the States?—A. Yes, sir.

Q. And principally to get these people—colored people—away from
he District?—A. Yes, sir; it was organized long before the exodus
egan.

Q. Do you recollect when you first made this move?—A. I believe it
as two and a half or may be three months before the movement. I
ould see the exact date.

Q. When was this circular issued; after the movement from the
States?—A. Yes, sir; a long time after we organized.

Q. Senator Vance asked you as to North Carolina.—A. We had no
eference to North Carolina in that circular. We had our eyes directed
o this great movement west of the Mississippi river, and to Illinois and
ther States.

Q. Then the incessant strife to which you refer in this circular had no
eference to North Carolina?—A. We should not have thought of that
tate if the people down there had not come and told us and excited
ur sympathy. We then thought the operations of our society might
s well apply to them as to any other people, for it was only giving aid
o human beings in distress. At the time of issuing the circular we had
o knowledge of any other movement, and no reference to North Caro-
na.

Q. I do not believe you stated where the contributions to your society
me from. Please state it.—A. They came from churches and indi-
duals. I believe Colonel Ingersoll gave us a hundred dollars.

Q. Was that in a public hall?—A. Yes, sir; in a public meeting.
ien Mr. Douglass got for us $250 from Miss Elizabeth Thompson.

Q. Mr. Douglass is opposed to the exodus, is he not?—A. Yes, sir.

Q. Did he get it solely as a charitable contribution?—A. Yes, sir; I
ld him when I went to his office, and said to him that the people were
re, and that they needed it, and that I heard he had $250 to help
em. He said that, yes; as the people were here he would assist them.

Q. Do you remember at whose suggestion you made the arrangement
th the railroad authorities for the transportation of these people to
diana, and whether you knew of people sent out there by the sugges-
n of their agents or otherwise?—A. They had been sending people
the railroads for some time, sending them in little lots, as I was told
Mr. Adams and others. It was quite a while before I went to see
em, but I heard a great deal about their talk, but as it was vague
nor I got over in the cars to see them. I knew there were many kind
ople contributing funds to the society, and I thought it due to them
see the condition of these people and get the best rates that I could
them, so that I could speak to the society and tell them what we had
ne. Still, we never had any regular meeting about it, but I went for
at reason to Baltimore to see their general agents. Some persons
d we could get better rates over the Baltimore and Ohio, and some
d the Baltimore and Potomac, but I went to see them for myself.

Q. What rate did you get; eight dollars with a dollar drawback to go to Indiana?—A. Yes, sir.

Q. And nineteen to twenty-one to Kansas?—A. Yes, sir.

Q. Then it was cheaper to go to Indiana?—A. Yes, sir; and we were glad when they went there on that account.

Q. What reports did you get as to their getting employment out there?—A. We had good reports. We said we did not want to send them where they would not be provided for. Our object was to aid them in securing good homes and employment and not to benefit any particular person. We sent them out there, and I have letters that I can bring to you showing that they are satisfied. It was our object, as I say, to provide for them in that way.

Q. State again on what you base your estimate of 2,500 who have gone to Indiana, and whether all of them were from North Carolina?—A. I think not all, but I think they are mostly from there. I may have missed the figures one-half, for I made no note of it as they passed through. I did no clerical duty about the organization, but from the numbers who have passed through at the depot and information I got in one way and another it just seemed so.

Q. If you have been mistaken in the figure, which way do you think the mistake has been made?—A. I overestimated it, for I have been thinking of it overnight.

Q. Does anybody here know the number?—A. I think Mr. Dukehart would know. He was summoned as a witness here.

Q. You do not pretend to know the number yourself?—A. No, sir; I do not.

Q. You say that you might have heard of colored people bulldozing each other? What is the extent of your information on that point?—A. As the Senator has inquired, the great mass of them are opposed to a colored man voting the Democratic ticket, and where one is inclined that way they have been apt to think he was a renegade and to threaten violence to him. I spoke of their bulldozing in that sense.

Q. Do you think they would be likely to do that to one another?—A. Yes, sir.

Q. So far as you know the sentiments of the colored people in North Carolina, what are they, Democrats or Republicans?—A. They are Republicans.

Q. Then how do you account for a Democrat carrying a certain district in North Carolina, Kitchen's district; how do you account for its going Democratic when there is a large majority of colored voters in that district?

Senator VANCE. There were two Republican candidates, Senator. The aggregate vote showed a large Republican majority, and Mr. O'Hara got a large majority over his Republican opponents in the contest.

Senator BLAIR. He claims that he was counted out.

Senator VANCE. Yes, sir; counted out by the county returning boards.

Q. (By Senator WINDOM.) I will ask you as to your information about the treatment of the colored people in North Carolina several years ago, during the time of the Ku-Klux?—A. That I understood only, but I understood it to be the same as in other States farther southwest where my attention was called.

Q. How do you account for the exodus from the States of Louisiana and Mississippi?—A. I think it is on account of the abuses the colored people have received.

Q. What character of abuses?—A. Almost every kind. They were not only maltreated by those in whose employ they were, but greatly

outraged as to their rights to vote, and intimidation ruled almost broadcast.

Q. State as to the effect this treatment in those localities has had on the colored race.—A. It has had the effect to demoralize them and make them discontented throughout the whole South.

Q. State if they have not a general apprehension of danger and maltreatment all through that section.—A. Yes, sir; I think where they are even treated best their treatment is such as to demoralize them and frighten them.

Q. Would that have a tendency to make them wish to leave and go somewhere else?—A. Yes, sir; I think so.

By Senator VANCE:

Q. You do not understand that the second district of North Carolina was carried for the Democrats by any violence, intimidation, or threats on the part of the white people?—A. No, sir; I understood that Mr. O'Hara carried it fairly, but on account of the manipulations of those in control, the Democrats, he was cheated out of it.

Q. Do you understand it was the Democrats who did that?—A. Yes, sir; that some of the votes cast for him were thrown out unfairly, and if he had had the benefit of them he would now have his seat.

Q. Do you understand that those large Republican counties, where they have three thousand Republican majority, that they are in the hands of Democratic county officers?—A. They are.

Q. How did they get in?—A. I think the same way as they get to Congress.

Q. Well, they would have to have a start before they could get in to do these things. How did they get in?—A. Well, sir, in this same way, I suppose.

Q. Take the counties of Edgecombe, Halifax, and Warren. Do you understand that they were actually in the hands of the Democratic county officers?—A. No, sir; but I take the aggregated number of votes in all the counties; those votes have to be aggregated, and my information, I think, is reliable, though I may be mistaken, that in the aggregate there was this deficiency; that if there had been a proper aggregate made of the votes Mr. O'Hara would have been elected.

Q. I know that is true, that the aggregates are made up in that manner; but I want to know whether you say the blame is on the Democratic officers?—A. I say that as far as I know the blame is on the Democratic party and people.

Q. In that district?—A. I do not want to particularize specially. The county officials in all those counties I named to you are all Republicans.

Q. You say you do not know that as a fact?—A. No, sir.

Q. Have all the men who have come here from North Carolina come from that district?—A. I think so, mostly; but I could not state positively, and I do not claim that their greatest trouble is interference with their political rights.

Q. Now, the districts adjoining, the one to the southeast and the one to the west, are close districts, are they not?—A. I understand so

Q. And there has been no emigration from the close districts, but all of it has been from those large Republican districts, where the votes could be spared?—A. I have had no particulars except as those people landed here, and no particular data as to where they came from.

Q. Didn't it strike you as a little more than an accident that the emigration nearly all came from that large Republican district and went

to this large Democratic State; didn't it look a little more like design than accident?—A. Governor, from your standpoint it may, but I know I have no knowledge of any preconcerted plan or arrangement with anybody in North Carolina to forward this movement; but our only connection with these people has been when they came here and told their own simple story. There has been no arrangement made by us with these people in North Carolina.

By Senator BLAIR:

Q. Mr. Wall, I wish you to state, from your entire knowledge of the subject-matter derived as a member of the society or from public persons or connection with colored men, and from all sources or any source of knowledge whatever, whether this exodus originated in or is promoted by any political arrangement outside of the States where these people reside.—A. That is from the Northern States, you mean?

Q. Yes, sir.—A. I have no knowledge of the originating of this movement by, through, or with the assistance of any political influence.

Q. My question is also whether it is being promoted by any influence whatever?—A. No, sir; none whatever. I know of no money that has been used to assist it that came from any political sources whatever.

Q. From your relation to and connection with the colored race of the country, and your residence and opportunities for getting knowledge, if there was any such influence promoting the exodus, do you think you would know it?—A. I think I should.

Q. Is there any colored man in the United States, you think, who would know better than yourself?—A. No, sir; I think I should be as likely to know as anybody.

Q. Do you know of any business arrangement in the North that is employing and stimulating this movement?—A. No, sir; none.

Q. It has been suggested that some railroad companies have been stimulating it for the purpose of increasing their railroad patronage.—A. No, sir; I was asked that, and I would like to be allowed to correct myself. I see in this miserable Post here it makes me say that Mr. Dukehart had been down there stirring them up; but I wish to say that he has been down there the same as any other agent for a railroad seeking patronage. I stated expressly that he was not stirring them up, to my knowledge, and I suppose I was reported correctly.

Senator VANCE. It is in the record, and I have no doubt you are correctly reported.

By Senator BLAIR:

Q. You state you know nothing of any political or business influence which is at the bottom of this movement. I would like for you, in a few words, to explain to the committee what you think is the philosophy of the movement; what you think is the relative importance of the movement in North Carolina, and whether it has any particular significance or whether it is but an incident of a general movement.—A. I will say to the latter part of your inquiry, that it may not be an extensive movement in North Carolina, but as soon as the masses in North Carolina and the people there generally learn of the success of their friends, I think they will be influenced just as other people are, and that in time it will become a general movement.

Q. Perhaps you do not understand me. I am not speaking of the laboring classes, or asking about them; but I ask you, judging from all causes and influences which you know to be operating upon this movement, is it likely to be as great from North Carolina as it is from other

arts of the South?—A. Yes, sir; as I stated, I think it will be general, rowing greater as those who go before have succeeded.

Q. You have stated some of the causes to be in the nature of abuses at upon the colored people; do you think those abuses are as great in lorth Carolina as they are in other Southern States?—A. I do not.

Q. Then why will the movement assume such proportions in North Carolina as it has in other States?—A. Because I think this excitement nd disturbances about the time of elections will come on once in a while. While these people are a laboring class of people, and live in rural districts, they will not suffer so much from them in North Carolina as they ave elsewhere; but the advantages of the Northwest are so much greater that they will become acquainted with them, and move right long. I think, because of the many advantages of the Northwest that annot be had in North Carolina, there will be a movement from the ne State to the others. For instance, the soil is not so good in North Carolina as it is in the Northwest; and another great matter of importance to them is their school advantages.

Q. Do you mean to say the school advantages in North Carolina are ess than they are in Mississippi and Louisiana, or where this great persecution is of which we hear?—A. No, sir; I do not.

Q. Many of the questions here seem to be particularly directed to North Carolina, as though this is a North Carolina movement specially. Do you so understand it?—A. No, sir; not at all. I did not have North Carolina in my mind when I interested myself about the exodus.

Q. I do not understand that your organization had anything to do with the exodus?—A. No, sir; not at first.

Q. Now, as to the North Carolina exodus, do you look on it as the principal movement, or is the exodus from other States to be regarded as the principal portion of the movement?—A. Yes, sir; I think the exodus in the Southwestern States is the principal part of the movement.

Q. And the North Carolina movement you regard as an incident of t?—A. Yes, sir.

Q. You state that the soil in the Northwest is better than in the Southern States?—A. Yes, sir.

Q. But I understand you that political proscription is less in North Carolina than in those other Southern States?—A. Yes, sir.

Q. And yet you think that other advantages in the Northwest and ersecutions in the South are the cause of this movement?—A. Yes, sir.

Q. Now, then, will you please state your philosophy of the exodus? -A. This would be my theory: Just after the war our people were in ood condition. From the wreck of matter and the crush of worlds that assed over us our people emerged into a condition where there seemed be a little sunlight, and into what was for a while a better state of ings, and, to use the language that Senator Vance used, our stars emed to be rising. We got along for several years very well until ere were several failures in the law or failure to support the enforcement act properly, when the men who had been in the rebellion came into wer in those States, and they, as seemed to be natural with them, took ntrol of their State governments which they had not had under the carpet-bag governments, and then the things relapsed into pretty much eir old condition; and since then the pressure goes on as all other oppressions do until we have got into a state of things so dark and oppressive at there must be some ventilation. There must be something to make s free again. In order to do this and get into a better condition I believe the exodus began. I believe it was a spontaneous movement, and

if anybody had any agency in it it was our Heavenly Father, the great Creator of us all.

Q. Do you think it is possible for the controlling element in the Southern States—that is, for the Democratic party, by any change in its policy towards the colored people, to gradually put an end to the exodus?—A. I do think that.

Q. Do you think the negro wants to go away from there if he is treated well?—A. No, sir; I think it is his nature to be religious and contented if he is treated well at home.

Q. Do you think any white population would be willing to reside long at the North or at the South under the same conditions that the blacks have been subjected to, and would the exodus have taken place?—A. From my knowledge of the East and observation of the white race, I know they would not have remained.

Q. Is there any change of treatment possible from the dominant people in the South, do you think?—A. I think the exodus will not cease until these people get a change from that treatment which prevails there. I think it would then, and that the colored people had better stay there than in the North.

Q. Why?—A. Because just after the war, and after this millennium there was going on in the South, my father sent me to the South. I did gravitate in that direction; but the matter got to be so luminous pretty soon that I stopped right here.

Q. Ominous you mean, instead of luminous?—A. Yes, sir.

Q. Did you say that such was the fact, and that such was the condition at the South that the negro began to gravitate towards the South?—A. Yes, sir; I think his old and familiar associations led him towards the land of his home. His parents would like taking him there. I do not think so much of this idea of a hot climate for the negro as others do. But this land gave them a good climate, but a poor soil; but I thought they might overcome that.

Q. According to your explanation, I think, under the good teachings of Senator Vance this State can be made the Indiana of the exodus?—A. Yes, sir; I think so.

By Senator VANCE:

Q. You say you have got reports from these people in Indiana. Who have made them to you?—A. The principal reports that I have were made by a young man who seemed to have been employed by these people to get them a place to settle in.

Q. Who were they?—A. They were Perry and Williams; but I have letters from others.

Q. The principal reports as to employment of these people here are from Perry and Williams?—A. Yes, sir: so far as I know.

Q. Perry and Williams don't live in Indiana, do they?—A. No, sir; not permanently.

Q. Did they ever live there at all?—A. No, sir; except to go there on this business.

Q. Did they ever have a residence there?—A. I don't know, sir; they are strangers to me.

Q. Where do they live?—A. I don't know where Mr. Williams lives, but Mr. Perry lives here.

Q. What is he doing?—A. He is temporarily remaining here, meeting the people coming from his State.

Q. What do you mean by that?—A. He is temporarily here, but I think, from what he said to me, that he is going West.

Q. Where is he now?—A. He is here with his family, living in a ouse.

Q. Where at? I have been looking for him, and should like very uch to know his whereabouts.—A. He is here with his wife and hildren, I think in a house on University street.

Q. How long?—A. I think he has been there two months.

Q. Where did he come from?—A. I think he came from North arolina.

Q. How often has he been to Indiana?—A. I think three or four imes.

Q. When?—A. Within the past two or three months.

Q. How old a man is he?—A. I should think about thirty years old.

Q. Then he reports to you that there is a demand out there for these eople?—A. No, sir.

Q. I understood you to say so a little while ago?—A. I understood ou to make a remark as to ready employment. He says there is ready mployment there for those he has carried out.

Q. How many has he carried out?—A. I do not know, sir; I cannot nswer.

Q. Who can?—A. Mr. Williams.

Q. Where did he carry them?—A. I said the other day I thought to reencastle, and I thought about Indianapolis.

Q. I am just examining you, Mr. Wall, about as to what he says. You re not responsible, understand, for what he says.—A. I am not saying nything about the means he employed, but simply what he told me.

Q. You have answered when you said that he took them in and about reencastle?—A. Yes, sir.

Q. Did he say anything about Terre Haute or Rockvale?—A. Yes, ir; I think so.

Q. That they could get ready employment on farms out there?—A. es, sir.

Q. And get homes to move into on these farms at this time of the ear?—A. Yes, sir; I got that impression somewhere. I don't know hat I heard it from him; but I got the impression that they were set- led on these places and conveniently situated.

Q. Where does Williams live?—A. I could not tell you.

Q. Where did you see him?—A. I saw him in Washington City.

Q. When?—A. I should think six weeks or two months ago. The or fellow was shivering and I gave him one of my overcoats.

Q. Did he say there was ready employment to do there for these peo- e?—A. Yes, sir.

Q. Did it suggest itself to you to tell him to go out there and get some it when he was shivering and you had to give him one of your over- ats?—A. I don't think it did. I thought he had been badly treated some people here, and thought I ought to obey the Bible injunction, hen I had two coats, to give my brother one.

Q. You did not think that Governor Vance's constituents had stolen s coat, did you?—A. No, sir; I did not. No, sir; but I thought the or fellow had been badly treated.

Q. He was connected with this exodus matter, was he not?—A. Yes, r.

Q. Did he come accredited to you in any way?—A. No, sir.

Q. I was asking you whether he was accredited to you by anybody u knew, so that you would as a matter of business trust him?—A. , sir; I do not know whether it was Williams or Perry who, when

they came, showed me a certificate of good character signed by the mayor or sheriff of Goldsborough.

Q. You do not know which it was?—A. No, sir; I do not know whether it was Williams or Perry; perhaps it was Perry, who said that he was a preacher, and I got the impression that he was a good, honest, upright man.

Q. You have not seen Williams since?—A. No, sir.

Q. You have no trace of him?—A. No, sir.

Q. Did he tell you there was ready employment in Indiana for these emigrants?—A. Yes, sir.

Q. Where?—A. I do not remember the counties; I think one was Elkhart.

Q. What other county do you remember?—A. I think Wayne County; perhaps at Richmond, Wayne County.

Q. Did you hear of any negroes who had gone in there?—A. I think some have gone in there.

Q. I wish you would ascertain if any have, as you have better means of information on that point than I. See whether any single car-load has ever been left there. Do you know what the politics of that county are?—A. Yes, sir; it is a large Republican county; I think it is Republican.

Q. And these conversations, you say, with Perry and Williams were your principal sources of information, but you said that you had letters from there. Now, from whom have you letters; give me a single instance of a letter assuring you of ready employment for colored people in that State?—A. I cannot state the name just now.

Q. Where are those letters?—A. They are on my desk, as I stated to the Senator, but I cannot remember whom they are from.

Q. You do not remember the names of the writers?—A. No, sir; they are all strangers to me.

Q. Certainly, but do you remember what post-offices they came from?—A. No, sir; I cannot remember.

Q. Can you remember the points contained in those letters?—A. No, sir; they will show for themselves.

Q. How many have you received assuring you of ready employment for colored laborers in Indiana?—A. A few.

Q. Give their number as far as you can.—A. I cannot say.

Q. How many, a half dozen?—A. Yes, sir; but I told you that I gave the matter of the letters over to the secretary.

Q. Wasn't it evolved more from an inner consciousness of your own than any information you have?—A. No, sir; no, indeed.

Q. We want the facts, Mr. Wall, and I mean to treat you with the utmost courtesy.—A. You have, Senator.

Q. Of course I do; and I say to you that if it is not a belief evolved from your inner consciousness and you have facts about this matter upon which to base your opinion, I would be obliged for you to give them to us.—A. I will hand you such statements from honorable, fair men. I will be able to give the names of veritable men, and also statements made in newspapers of the facts out there, all of which will show how I make up my opinion.

Q. Now, you say you have veritable letters from fair and honorable men. Now, I say give me the name of one man such as you have described.—A. Well, I say——

Q. No, no, give me the name of one such man.—A. Well, sir, there Mr. Mendenhall.

Q. Does he live in Indiana?—A. No, sir; he lives in Washington, and he is in this room here now.

Q. That is all right. I will ask him about it.—A. I think I have a letter by Mr. Walker, of Terre Haute.

Q. J. H. Walker, of Terre Haute?—A. Yes, sir. I was accredited with bringing his name up the other day in the matter.

TESTIMONY OF JAMES E. O'HARA, COLORED.

JAMES E. O'HARA sworn and examined.

By Senator VANCE:

Question. Where do you reside?—Answer. Near Enfield, Halifax County, North Carolina.

Q. State what positions you have held in North Carolina.—A. I have been five years chairman of the board of county commissioners of Halifax County, engrossing clerk of the constitutional convention in 1868, and member of the constitutional convention in 1875, and I was in the last election nominated as elector on the Presidential ticket, and nominated for Congress from the second district.

Q. You were nominated as a member of Congress from the second district, and you claim to have been elected?—A. Yes, sir.

Q. And you are here now contesting for your seat?—A. Yes, sir.

Q. Now, Mr. O'Hara, will you give us, first, your opinion as to the general condition of the colored people of your country, and then I will ask you some questions?—A. The general condition of the people would not be considered flourishing when compared with that of the people in more prosperous States. In fact, the general condition of all the people, white and black, in the cotton-fields is not very prosperous. That, I may say, is owing to our mode of farming in that region; for instance, all the farmers generally require advances from the commission merchants in Baltimore and New York to make their crops. The result is that the credit system, going on from the start, keeps up from year to year, and keeps our people poor. If we have a short crop we get very hard-up in the fall, and there is a general complaint of a want of money among the people; but, regardless of that, I think the condition of the people is pretty well in that section of country, but it will not compare well with the condition of the same class of people in more prosperous States.

Q. Well, now, considering the black people as a general rule as laborers without land, what is their condition as a class, and what proportion of freedom do they enjoy with the white laborers?—A. They are in equally as good a condition. If the committee will allow me, I will show how that thing is. A great deal of this talk about the negro is erroneous, because his condition is largely a local matter. Not long ago we had a State fair in North Carolina held by the colored people, and in speaking I followed Governor Jarvis, who made the opening address, and I stated in that address that the prosperity of the colored people could not be very well seen at that fair, while it was one of the most creditable that had ever been held, and was acknowledged to be such by the press of the country. I mentioned one fact in my own county, where the colored people have acquired 13,000 acres of land. That statement was doubted. One of our papers, the Roanoke News, doubted this statement of mine, and in order to be more certain I went to the records of the county, and

referred back a year. I took the records for 1878 instead of 1879, and the record showed that the colored people of that county had 16,601 acres in fee-simple title, and in proportion that is equally true for the counties of Warren, Nash, and Lenoir.

Q. You mean they have lands in the same proportion in each county?—A. Yes, sir; in each county. I suppose it would be no exaggeration to say that in my county, which is the next largest negro county in the State—Edgecombe is the largest—the colored people own there in fee-simple title 20,000 acres of land.

Q. Which is your county; Edgecombe?—A. No, sir; Halifax.

Q. And you found 16,601 acres of land owned by negroes?—A. Yes, sir; on the tax book of 1878.

Q. What do you suppose is the amount owned in Edgecombe County?—A. Not so much, but probably there are 6,000 acres in that county owned by negroes, for the reason that the people there hold their lands more intact, and there are larger farms in that county than in ours.

Q. Then I suppose the white people are better off in your opinion in that county than in yours?—A. Yes, sir; but I will say that the colored people over there do not seem to want to get up and acquire real estate like they do in our county. The people over there like fine horses, and I have known some colored men to pay $300 and $500 for a horse and buggy in the fall, but in our county I have always advised them to get a small home and pay for it, no matter how small it was.

Q. What is the condition of the land in your county?—A. Our land is just as good as any other in the State. It is what we call swamp lands and river-bottom.

Q. What could an industrious colored man down there with a mule and so forth make in a year?—A. I do not know as I could answer that question definitely. I will say this, that they make as much there as their white neighbors do, and I have been more surprised to notice this fall where white men who own land have been compelled to sell every lock of cotton to pay their debts, when I knew several instances where colored men have taken their cotton to market and brought it back home before they would sell it.

Q. They were not compelled to sell their cotton?—A. No, sir; they were not compelled to sell it.

Q. And they refused to sell it at the prices offered?—A. Yes, sir; because they did not need the money.

Q. Will you explain what you know of the renting system, and whether there is any disadvantage to the colored people in renting land over the same disadvantages experienced by the whites?—A. There can be no disadvantage to the colored people that will not apply to the whites of the same class.

Q. Are there any distinctions made by the landlords in renting?—A. None; except that in some places the lands are held high, and I attribute much of that to the eagerness of parties to make contracts. There is no difference made by the law between white and colored people; but I will say that we have one law in North Carolina which I think bears badly, both to the landlord and to the tenant.

Q. What law is that?—A. The landlord and tenant act.

Q. I wish you would explain that act.—A. It gives the landlord a lien not only for advances made to the tenant to help him make the crops and so forth, but all debts that the cropper makes with him whether made before the crop or by mortgage or not.

Q. That is to him?—A. Yes, sir; but it is not necessary that this should be in writing.

By Mr. VOORHEES:

Q. Does it allow the landlord all debts due from the cropper, or only such as is assigned to him in person?—A. I have never seen that question brought up. In all the cases that I have seen it has been in contract matters. The law operates as bad on the white man as on the colored man. In fact I have been consulted by white men as to this same law as an attorney, and I think as to all its operations it bears alike on white and colored.

Q. It has been suggested here that the law operates more harshly on the black people than on the white.—A. I do not think that that can be true, for the land-holders are in the minority and not the majority among the whites.

Q. Then I understand you that the laws in North Carolina are indiscriminate in their operations?—A. Yes, sir; all of them.

Q. Much has been said here before this committee about paying them up in orders on stores. Will you please tell the committee something about that?—A. That is explained by the system I spoke of when I began. A has land which he rents to a tenant; the tenant desires to run his crop; he comes to town and must make a mortgage, either directly with the merchant or indirectly through his landlord, to have his supplies furnished. Of course, under the operation of the law, he must have the word of his landlord in order to get his supplies. If the landlord gives him an order to the merchant, that gives him credit, and that is all there is in that matter. I do not believe in any of this talk about a percentage between the merchant and the landlord. What I mean is that A in renting his land to you and giving you an order on his merchant, does not divide with him. I have investigated that subject, and I did not find that to be the case at all.

Q. I will ask you if you have been in the legislature of North Carolina?—A. Yes, sir; I have.

Q. Do not you know that the reason for that law, the landlord and tenant act, was on account of the homestead exemption laws?—A. Yes, sir; I was going to state that. It was thought that a man would take his crop and sell it, and the landlord would not get his rent, and in trying to get out of that extreme we got over into the other.

Mr. VANCE. That is so.

The WITNESS. The matter is being talked over very generally, and I think the white people are complaining the most about the operation of that act, and that the next legislature will modify it.

By the CHAIRMAN:

Q. It was an act of the last legislature?—A. No, sir; I think it was three legislatures ago. I think it has been in operation from four to six years.

Q. And you think there is a sentiment among both the whites and blacks to secure its repeal or a proper modification of it?—A. Yes, sir.

By Senator VANCE:

Q. Your home is in the second district?—A. Yes, sir.

Q. From which this emigration mostly takes place?—A. From which it is said to take place principally.

Q. Will you please give to the committee your opinion of the causes of this emigration?—A. As to the causes, I do not know only from report. There is hardly a day since this matter has been mooted, or these circulars sent out ——

Q. What circular?—A. This one referred to in the committee. I read it

only this morning. I mean these pamphlets and circulars by the Kansas Pacific road. Since then a number of people came to me from adjoining counties and asked me what I thought of it. To answer them, I would always take the inducements offered to white emigrants and contrast the two. I said, here they give you different inducements. This pamphlet shows a difference. Here is what they offer white people to come there and settle, and you can do that well in North Carolina, and it is not necessary to go out there to better yourself. They tell me they have been offered—I have never been able to locate who offered it, but they tell me some colored men have done it—that they would get a dollar a day in Indiana, and get a suit of clothes in Washington. They have often told me that was the inducement held out to them, as coming from the government, and when I told them the government had no hand in the matter it would drop, and I would hear no more about it. We have in our immediate section had none of it, unless it has taken place since I left, and during the last two or three days. I will state that, until recently, emigration meetings were advertised, in which it was stated that I would be present to make speeches. I knew nothing of it, and parties would say to me, "I went to so and so to hear you speak. Notice was brought that you were going to speak, and why were you not there?" and I would tell them that I knew nothing about it. This movement in my State has nothing spontaneous about it, but is induced by a class of persons who come and tell the people they will get better wages by going to Indiana, and that when they get there they will be well taken care of. So far as there is a political phase to it, I know nothing. When I reached Washington I was informed that there was an emigration aid society here, and they said that it was formed to aid these colored people who had been sent from Mississippi and Louisiana to Saint Louis. There was one gentleman connected with it when it was organized, who was a vice-president, who stated that Mr. Mendenhall, who is a clerk in one of the departments, stated at the meeting that it would be a good idea to take the negroes from North Carolina and send them to Indiana, as North Carolina was an accessible State from this point. He knowing this, and being a North Carolinian himself, severed his connection with the society, and that was at the first or second meeting.

Q. You mean to say that since you came here you learned that?—A. Yes, sir.

Q. I wish you to state if drawing out of their intercourse with the Army of the Union and their subsequent connection and education in the Republican party, the negroes of the South are not more ready to listen to people coming among them with philanthropic pretenses from the North than to their own people at home?—A. I judge so, as the negro is of a very sympathetic nature, and will give credence to those who profess friendship before he will to others. He is very credulous, and, even though deceived from time to time, will still take to a man who tells him a good story. That is the reason why I have taken particular pains to look after these people in the counties where I practice.

Q. State in your own way to the committee if in your opinion this exodus is caused by any principles of persecution, political or otherwise.—A. It could not be, as we have known all that sort of thing in that section of the country. I did think, at one time, in the counties bordering on South Carolina, and not colored but white counties, that there was a little bulldozing done there, but I thought it was principally by people from South Carolina. But in the negro belt I think there is nothing of the kind. In our counties, I think, as a rule, we

ve had all our own officers until recently the election of county commissioners was taken away from us.

Q. You mean under the recent amended constitution?—A. Yes, sir; nd I will state for Governor Vance that in his message, for which he ceived the condemnation of some hot-headed men of his party, he ked the legislature not to interfere with the suffrage of the people in ny way, and for that some of them said they would go back on him in ne Senatorial contest, and in consequence of it he was a little unpopuar for a time.

Q. I will ask you if the asperities and harsh feelings between the two aces have not been disappearing notably since 1876, and gradually iving away to a better feeling?—A. I do not know of any State in the merican Union where there is a better feeling between the white and he colored people than in North Carolina. It is a very usual thing to ee on the day of election the landlord and the tenant, the employer nd the employé, going to town in the same buggy and voting different ays. I have even wondered why it was that the employer could influence his tenant or employé on every other subject except voting. I hink I ought to say with regard to Captain Wall's testimony, as it will ll come before the House in due time, that in my defeat, or rather my eing counted out, the Republicans had more to do with it than the Democrats, and I say that the colored Republicans of the South have nore to fear from the white Republicans than from the Democrats. And there is always a combination between the white Republicans gainst any intelligent colored Republican who seeks to aspire to office.

Q. You mean that they want to keep all the offices?—A. Yes, sir; nd when we say to them that they must divide, they say, hold on; and hen we fight them they count us out. Now, in my own county the Republicans had the appointment of commissioners, and because I opposed a certain white man who ran for sheriff his friends made a comination and counted me out. That was the reason why Mr. Kitchen ent on his bond, and the result was to give us a Democratic sheriff on e Republican ticket and to count me out in consequence of this comnation.

Q. You are a man of intelligence and reading and have information tside of your own locality, and I wish you to state what is the condin of the colored man as a laborer and with reference to some classes laborers that are not, that is to say, unskilled laborers in the United ates?—A. It is a good condition; in fact they are in a better condition North Carolina than in any other State in the Union, from the fact the next ten years at least they will not be thrown into contact with e Irish and German laborers, and will not have competition with that aracter of labor. A tendency with the white people generally is, when ey require money to live and farm, to go to the towns and cities, not at there is no contest or antagonism between the white and colored ople, but because the white man prefers to live off of the farm.

Q. Then you think there will be no trouble and ought not to be with e negro laborers in the South until that class of white labor comes?—Yes, sir; but I think it will not come, at least to that section, as that nd is affected with miasma, and the white people are subject to it ile the negro is not.

Q. What kind of land is it?—A. It is our very best land in North rolina, that properly drained, and it is desirable for them to own that nd and cultivate it, because of the impoverished condition generally the colored men of the State, and I know men there who have land nich cost them $10 an acre, and yet colored men have taken it out at

$5 an acre. The way the colored man treats his land is this: he will buy it, and the first year he will cut down a few trees and make a small crop; the next year he will cut down more trees, dig a little ditch, and go on this way for four or five years; afterwards, when you would know how the property is which he has taken, he cannot tell you himself how he happens to bring the land up, but at any rate he has done so, and it cost him nothing except his labor, and so they prosper notwithstanding that wages are frequently low; they were last year, because the cotton crop was bad and short.

Q. And we had very destructive floods?—A. Yes, sir, very; and last year we had droughts also, so that the crops were very short, and that caused labor to be very low; and, because of the feeling that exists between the people in that State, I will relate this, that a few Saturdays ago the people living in that section of the county called Scotland Neck held an agricultural meeting. White people and black people met together and had a talk about this subject. Richard H. Smith, a white man and leader there, spoke, and I spoke too, and the result of the meeting was that they thought on account of the increase of the price of cotton they ought to increase the wages of the hands, and they did so. As another remarkable fact connected with this, I will state that there are some colored people who hire laborers in that section and are interested in the price of labor. These whites they have property, and have to have labor to assist them in cultivating it, and naturally they want the labor cheap.

Q. State the condition of the education for children in North Carolina?—A. The condition of the children in North Carolina according to our system at present is poor. I mean poor as to all classes; in our law there can be no discrimination. Eight and one-third per cent. of the property-tax and seventy-five per cent. of the poll-tax, I think, is used for school purposes, each class getting its *pro rata* share, and if it had not been for some oversight in the last legislation, an omission to sign the bill, I think we would have had a very good system of public schools in the State. Of course education is not there for the poor classes as it is in the District of Columbia, where you have large taxes and have a Federal Government to supply it, and in large cities like New York, but I think it will compare favorable with that in any rural district in any section of the country. I read the report of the Commissioner of Education and see that the schools in the interior of nearly all the States in the rural districts are as nothing compared with the schools in the towns and cities, and I think ours will compare about as favorably as any. We need, however, a great deal of improvement yet, and I think it will come gradually.

Q. Have you seen the last report of the superintendent of education?—A. I have not.

Q. Do you know that the number of children attending school in North Carolina is increasing from year to year?—A. Yes, sir; I know they are increasing from year to year. I think, however, we have made one mistake. I think we have made a sad mistake in the employing of cheap teachers. Our people seem to have got the idea into their heads that $20 a month is paying enough for a teacher, and the result is you cannot get first-class teachers. First-class teachers will not work for such a price as that; but wherever they offer $20 for teachers, they pay the same to white teachers and black teachers alike. I know a case in point: My wife holds a first-class certificate; she receives $20 a month, and teaches a colored school. The daughter of Col. David C. Clark, one of the leading white gentlemen of the city, also holds a first-class certificate; and she teaches a white school at $20 a month.

By Mr. VANCE:

Q. This is done in order to make the money spread over as much time as possible?—A. Yes, sir; but there is another result. The best teachers will not remain in such places, but will go where they can be better paid. Only the poorer class of teachers and persons living there, who are not compelled to rely on their teaching for a support—only persons so situated will teach.

Q. Has not your State appropriated money for the establishment of a normal school for the education of teachers?—A. We had a normal school at one time. It was at first only temporary, but I think our legislature has made it permanent. As we advance and get a little more money we will have more schools of all kinds.

Q. Has not the State also provided asylums for the unfortunate of your race?—A. Yes, sir; the same facilities are offered the black and white alike in that respect. We have a deaf and dumb school for the colored people, under the same rules and government as that for white people; they are taught, fed, and clothed under the same system as the whites. In fact, it is not very long ago since I went through both institutions—the one on one side of our city, the other on the other. They have the same kind of provision, meats, vegetables, and fruits; the same bedding and furniture, carpets, pianos, &c., all the same in both institutions, without any discrimination at all.

Q. What provision has been made for the insane?—A. Owing to the crowded condition of our present insane asylum, it has been found necessary to build two others; one for the whites at Morgantown, and one at Greensboro', in what is called the "negro belt," exclusively for colored people—an institution that will compare favorably with institutions of the same kind in any part of that country; as good as the one they are building for the whites at Morgantown.

Q. It is not as large?—A. No, it is not as large; it is not necessary that it should be as large, because our percentage of insane is not as large as it is among whites; and the negro population is only one-third that of the whites.

Q. State, if you know, what is the character, as a general rule, of the men who are leaving your State?—A. As I said before, I cannot find that any of the colored men who have any great desire to acquire a home are leaving.

Q. Are your most industrious colored men leaving there?—A. Not that I can discover; so far as I can learn, it is just the floating population that are leaving. In the interior, in the county of Greene, I do not know how it is about this class of people; but I think that in the other counties it is just the floating class who are leaving.

Q. Do you think they are leaving from a voluntary desire to leave, or because efforts are being made and inducements held out for them to leave?—A. I think that if they were let alone they would remain there; I do not think that they are leaving for the same cause that people leave Germany, Ireland, Scotland, England, &c.; I do not think they would leave but for the agents that are going around through the country making glowing representations and distributing highly-wrought descriptive circulars, telling how easily houses and lands can be obtained in the North. Of course the laborers, after reading these pamphlets showing what can be done, and how cheaply they can get to these places, and what provision will be made for them after they reach there, will go; but they do not leave from a voluntary desire to leave at all.

Q. Do you know of any migration of colored people at all outside of your district?—A. I do not know of my own knowledge; I have heard,

however, that some were leaving the county of Nash—that is outside of my district; it is the adjoining county to me; only the railroad divides it from the county of Edgecombe. A person not knowing just how our districts are divided might think it was in my district, but it is in the Raleigh district—the fourth district. I hear that along the line of the railway a few have left from Duplin and Sampson Counties; they are in the third district. The bulk of the migration has been from the counties of Lenoir, Jones, Craven, and Greene, which are in my district. There has also been some from the county of Wayne.

Q. Do you know of any migration from that region to Florida?—A. I have seen something about that in the newspapers, and I think I can explain to you how that is. It has been for years—for ten years to my own knowledge—the fact that in the spring of the year three or four hundred colored men would go down to what is called the turpentine country; they go down every spring and return every fall. They go down there to work, leaving their families in North Carolina. They have gone again this year, as has been a yearly occurrence for eight or ten years past. I do not know of any emigration from North Carolina to Florida outside of that. Before I left home I saw two car-loads of these colored people passing through my place going to the turpentine country.

Q. You said a while ago that there were 20,000 acres of land in your county owned by colored people; please state among how many or about how many persons this land is divided; is it distributed among a pretty large number of small holders, or in what way?—A. I avoided taking into consideration the small lots—half-acre lots, &c. The farms will run from 20 or 25 acres up to 300 or 400. There is one thing peculiar about this matter; when a colored man possesses land you cannot get him after he has paid for it to mortgage it; he will mortgage anything else in the world; he will cling to it under all circumstances.

By Mr. BLAIR:

Q. They are anxious to retain the advantage of the homestead?—A. A Great many of them are beyond the homestead law. Just a few days before I left home a couple of fellows came to me, who were trying to protect their homesteads. I told them that they would have to pay up, for they had more than the homestead law allowed them.

Q. You have spoken mostly of your district or section of country; what knowledge have you of the condition of the colored men in other parts of the State, relative to holding property?—A. I have pretty much the same knowledge; I have traveled through the State considerably, and have had communication with white and colored people in all parts of the State; I have conversed as freely with Republicans as with Democrats, and have had the same facilities as anybody, regardless of any race prejudice; I find that they make no distinction at all. I have the same information from all over the State as from that particular locality; I know that what I have said about my own district will hold good pretty much the whole State over.

By the CHAIRMAN:

Q. Where were you born?—A. In New York.

Q. How long have you lived in the South?—A. Since about 1862; I went to North Carolina in the fall of 1862, when I was about eighteen years old.

Q. Did you come there in the service?—A. No, sir, merely on a pleasure trip, with some "missionaries" that came from New York. After

reaching North Carolina I engaged in teaching school; I liked the place very well, and so remained there, and have been there ever since. All I have got, and all the associations I have, are there. I now consider it my home, and have for seventeen years.

Q. Do you feel that you have suffered in your association with the white people, on account of any race prejudice?—A. Well, no more than the prejudice growing out of the peculiar institution of the government as to the two classes of people; no more than I probably would have suffered anywhere else. There is, of course, a feeling of prejudice, such as one would naturally feel and expect.

Q. Would you not encounter that in New York?—A. I would encounter it in New York more than in North Carolina.

Q. Are the colored people in North Carolina excluded from places of public amusement, for instance?—A. I do not know, because we have very few places of public amusement in North Carolina; we have no theaters in my vicinity; I know this, that colored people do go to theaters; I have gone to theaters in Raleigh, frequently; and I have seen no exclusion on account of color. I suppose if a colored man should attempt to take a principal seat in a theater in North Carolina he would have the same difficulty as in New York.

Q. The reason I speak of it is because I see by the papers that a colored man in New York has brought suit for being excluded from a theater?—A. So far as my experience and observation goes, a colored man suffers from such things no more in North Carolina than anywhere else. These are matters that are, and must be, regulated purely by prejudice and feeling, and that the law cannot regulate; I think it is not the province of the law to interfere.

Q. Are you a planter yourself?—A. No, sir; I practice law.

Q. The two things go together in the South sometimes?—A. My experience is that when a lawyer attempts to farm, it take his law practice to run his farm.

Q. You are a practicing lawyer?—A. Yes, sir.

Q. You gain your living by that profession?—A. Yes, sir.

Q. Do you find the question of race any obstacle to your receiving fair treatment in the courts?—A. No, sir, none whatever; I would not tolerate any, and I see no disposition to show any; the law gives me the same privileges as it does any member of the bar.

Q. And that is freely accorded?—A. Yes, sir; I could give an illustration; once I had the misfortune to fly off the handle with a brother practitioner, and both of us were placed in contempt; and every member of the bar said as much in my favor as in favor of the other party.

Q. I think it may be just to state in this connection that one of the things which some of the people complain of, one of the reasons which causes your colored people to leave, is that they are not placed on juries?—A. That may be so in a few counties; but as a rule it is not so. No such distinction can be made under the law, because our law requires that the commissioners shall, at certain times, draw from the jury box the names of persons of good moral character, without distinction of color, to serve as jurors.

Q. Is it not the rule, in all States and countries, so far as you know, that it is the better class of persons who are selected to go on juries?—A. Generally so. As a rule, persons who have the most at stake in a community, the most responsible persons, are selected as jurors.

Q. I understood you to say that that class of people are not emigrating from your State?—A. No, sir; they are not emigrating at all. I

will not go so far as that: there may be some such, but they have not fallen under my observation.

Q. Have you any observation of the facility with which a colored man would get on to a jury in Indiana?—A. I do not know anything at all about that; but I can tell you what I have found—I am not speaking of the practical part of the thing, whatever the theory may be—but in nine cases out of ten, if a colored man is put on trial, he don't care about having negroes on the jury if he can get rid of it. I do not know what theories these gentlemen may draw from it, but I find this to be the fact.

By Mr. BLAIR:

Q. What objection have the colored men to having other colored men on the jury?—A. They feel that they are more easily swayed; if they can get a white man on the jury who is friendly to them, they know that it will take a great deal more evidence to sway him than it would a colored man. They think that a colored man is not tenacious enough in holding on to a previous opinion. When arguments are presented, or appeals to his feelings, or in case of a tie, he is more easy to give over.

Q. Then they are rather prejudiced against their own race for jurors?—A. As a rule, I should say they are, in the circuit in which I practice.

Q. Is it to accommodate that prejudice that they are not allowed on juries so frequently as white men?—A. You misunderstand me, Senator; I did not say they were not "allowed" on juries so frequently as white men; under the law there is no distinction.

Q. Well, then, in practice how is it?—A. In practice a distinction is made.

Q. You have a majority of colored men in your county?—A. We have.

Q. Do you have a majority of colored men on your juries there?—A. I do not know that we have; that comes a good deal as it may happen. I have seen, in a case where all the litigants were white, nine colored men on the jury.

Q. Do whites like to have colored men on the jury when their cases are on trial?—A. Well, as to that I really do not know; if he can get one of his own employés on a jury, he would rather have him than a white man.

Q. What proportion of colored men are generally on the juries there?—A. I do not know.

Q. What would be your judgment?—A. Generally, I should say, about one-third or one-half; somewhere along there. I know this, the law is, so far as the grand jury is concerned, no true bill can be found without the consent of a colored man; that is, there must be at least one colored man on the grand jury who consents to the finding of the bill. I have never known a grand jury in my own county, or Edgecombe, or Warren, to consist of twelve white men—no grand jury of eighteen.

Q. What is the proportion of colored men to white men in your county?—A. About two and a half to one.

Q. And they constitute from one-third to one-half the jury?—A. Yes, sir.

Q. How are they appointed?—A. By drawing out of a jury-box; in making out the jury list they place in the box only the names of such persons as have paid their taxes the preceding year.

Q. Then there is a tax-law that serves to reduce the proportion of colored men on the jury?—A. I don't know that it affects them any more than it does the whites.

Q. Then why do you give that as a reason why, in a county where there are two and a half colored men to one white man, there are but from one-third to one-half colored men on the jury?—A. I did not give that as a reason; I merely mentioned it as a fact.

Q. You are giving it as one of the reasons, are you not?—A. No, sir.

Q. Then what *is* the reason?—A. I will say this: If I had no prejudice, and if I should draw the jury out of all the names in the box in precisely the same way, the jury would be apt to consist of more white men than colored men. Take a child, and let him draw from the box; A's name is drawn, for instance; the question is now asked, not whether he is a white man or a black man, but is he competent for a juryman? Is he a man of good moral character? There is this fact to be taken into consideration: owing to the ignorance of the colored men generally, you will have to pick over a larger number of names of colored men than you will of white men to find persons with the requisite moral character for jurors.

Q. Then the tax-law has nothing to do with it?—A. It can not have, for it applies to black and white alike.

Q. Is not a larger proportion of the whites than of the blacks able to pay taxes?—A. No, sir.

Q. Do not the whites own more property than the blacks?—A. That may be. I think they do.

Q. Then are not the whites better able to pay taxes than the colored people are?—A. No, sir.

Q. Why not? I should like to have you explain that.—A. Because, owing to our peculiar system of agriculture, we are all pretty poor; so when the tax-gatherer comes along one is about as able to pay as the other.

Mr. VANCE. In proportion to the amount of the tax in each case?—A. Yes, sir; I thought that was taken into consideration.

By Mr. WINDOM:

Q. How is it in the other counties of the State?—A. I speak only of the counties I have been over.

Q. You say there is a poll-tax, of which 75 per cent. goes to the support of the schools?—A. Yes, sir; and the rest to the poor.

Q. Is there any other tax for schools?—A. Yes, sir; 8⅓ per cent. on all property. Under our constitution, our taxes are limited, for all purposes, to an amount not exceeding 66⅔ cents on $100.

Q. You have separate schools for white and black?—A. Yes, sir.

Q. Have you any schools for both?—A. No, sir.

Q. During what proportion of time in each year are the schools now kept?—A. About four months in the year; sometimes longer. The law provides also that when there is not money enough to support the schools for four months in the year, a tax shall be levied to support them; but it requires that first the levying of such tax shall be put to a vote of the voters of the township; so if there is not four months school in any township it is because the voters do not tax themselves.

Q. Is that tax on property?—A. Yes, sir; it is purely a property tax.

Q. You said that the colored men had more to fear from white Republicans than from white Democrats; what did you mean by that?—A. I said, "intelligent colored men"; men who desire to hold office and to become popular, have more to fear from white Republicans than from

white Democrats. For if you attempt to interfere and get ahead, these white Republicans will say: "Hold on! you will prejudice us; that won't do!" It is the same way, I presume here in Washington; if you want a negro appointed to any position there is a great deal of difficulty; if it is a white man you want appointed, you can get him without any great opposition.

Q. What is the proportion of colored and white population in the State of North Carolina?—A. I should say, about one-third black to two-thirds white; we reason it out in that way, on general principles.

Q. What proportion of the Republicans there are white?—A. About one-third.

Q. You mean the white Republicans cast about one-third the party vote?—A. Yes, sir; that is what I mean; that would be the maximum.

Q. And what you mean by the colored men having more to fear from the white Republicans than from the Democrats is, that the white one-third of the Republican party will demand too many of the offices, and give trouble, and split the party?—A. Yes, sir; they will form any kind of combination that may be necessary.

Q. You mean with Democrats?—A. Yes, sir, or with Republicans.

Q. You have nothing to fear in the way of persecution from the white Republicans?—A. O, no, sir.

Q. You refer only to the internal management of the party?—A. Yes, sir; we have no fear of any persecution.

Q. Was your competitor—your Republican competitor, I mean—white or black?—A. There were two of them; one was colored and one was white.

Q. How was the vote divided between you and the other Republican candidates?—A. I don't know how much Mr. Thorne's vote was; Mr. Harris's was only about 3,000.

Q. What was the Democratic vote?—A. Captain Hitchin's majority over me was 1,022, I believe, as counted.

Q. Do you know anything about the colored people "bulldozing" each other in North Carolina?—A. No, sir; I do not know anything of that kind.

Q. You say that the laws of that State do not discriminate, as between the colored and the white?—A. Yes, sir.

Q. Is there any discrimination in the execution of those laws?—A. None that I know of. There is this, however: the same discrimination is used there that is used everywhere; for instance, in the courts, it is well known that a poor man, or an ignorant man, in any community, is at a disadvantage. For instance, if he brings a suit he may be unable to give bonds or to employ the best legal talent; he is under some disadvantages—necessarily so—from these peculiar circumstances. That is about the only inconvenience that colored men suffer from in North Carolina; and that is applicable to poor men and ignorant men the country over.

Q. There is no discrimination in the execution of the laws, either in regard to serving on juries or in the securing of rights in the courts?—A. None whatever.

Q. Are white men punished for crimes against colored men the same as colored men are for crimes against white men?—A. Yes, sir.

Q. I am trying to find the paradise for the negro, and I think I have found it at last. There is no race prejudice at all down there?—A. There is the same race prejudice that there is between white men and colored men everywhere, but to a less extent than in some Northern States.

Have you met with any trouble in the North?—A. I have not; I avoided that. A colored man when traveling will avoid placing lf in positions where there is any likelihood of his getting into e. A colored man traveling with his wife will go by a good places.

Have you ever suffered any political persecution in the North?—no, sir.

Colored men vote freely wherever they want to?—A. Yes, sir; ote freely in my State.

Did you ever hear of any political persecution in your State?—A. I think, in my direct examination this morning, that at one time the reign of the ku-klux on the border of South Carolina we me bulldozing, but that was not in colored counties; we have ku-klux in the negro portion of North Carolina at all.

VANCE. I will say of the ku-klux and their operations—which is er that has all gone by—that they were not directed against the particularly, but against blacks and whites indiscriminately.

By Mr. WINDOM:

Did you ever hear of any ku-klux anywhere else than in North na?—A. I have read of them in the papers.

Did you ever hear of them in South Carolina?—A. I do not pro- speak of South Carolina.

You will speak of whatever we ask you, sir.—A. Pardon me, I of my own knowledge.

You have heard of them in South Carolina?—A. O, yes, sir.

Did they not extend into North Carolina?—A. No, sir; only into rder of the State, next to North Carolina, as I said.

In what part of the State are these counties of which you speak—unty in which you live and those adjacent?—A. In the northeast n, in what we call Eastern North Carolina.

If there has been no political proscription in North Carolina, what suppose Governor Vance meant by advising the ku-klux to in- as little as possible with the franchise; was it necessary to inter- st a little?

nswer the witness explained, and afterward Governor Vance ex- d more fully, that this advice had no reference to ku-klux out-

Q. If that was all that Governor Vance meant, why did the hotheads of the Democratic party feel offended with him, as you said?—A. There was quite an excitement in the Senatorial contest as between him and Judge Merrimon; and the Merrimon men thought it was a good chance to get up a point against Governor Vance, and published through the State that he was catering to the negro element, and said a few words against him. The only cause of it was simply the fight between him and Judge Merrimon.

Q. Must not a considerable portion of the white people of North Carolina have believed in interfering, or they could not have made capital against Governor Vance by representing that he was opposed to interfering with the franchise?—A. I don't see how that could affect the black people particularly, because it operated equally on every man in the State.

Q. You say Governor Vance's enemies made capital against him, charging that he urged as little interference as possible with the colored vote?—A. You mistake, Senator. He did not say, with "the colored vote," but with "the right of suffrage."

Q. Do you not think there must have been a sentiment in the State, somewhere or other, to which they could appeal, else they would not have quoted it against him?—A. They were unsuccessful, I am happy to say, as you see by the fact that he is here.

Q. They were mistaken?—A. Yes, sir; they were entirely mistaken.

Q. It is true that they did not succeed in beating Governor Vance; but those people who used this expression for the purpose of making political capital against him must have thought that there was such a sentiment in existence or they would not have used it?—A. We had been agitating for a long time the question of going back to the county government that we had prior to the war, and they thought that a good chance to make prejudice against Governor Vance and at the same time get back to the old system of county government.

Mr. VANCE. The proposition to amend the constitution allowed the legislature to permit a county form of government if they thought proper, and embraced the power to give the legislature the appointment of the magistracy, and the election by the magistracy of all the county officers so as to take the right of voting away from the people if they thought proper, and the allusion in my message was to advise them to interfere with the election of county officers as little as possible. What I said was equally applicable to all without regard to politics or color. The county government, in old times, was fixed; now it is entirely in the discretion of the legislature.

By Mr. WINDOM;

Q. Were these hotheads, who you say took advantage of this expression in Governor Vance's message to make political capital against him, or to attempt to do so, were they opposed to white people voting?—A. As much so as they were to colored people voting.

Q. On what grounds?—A. I cannot say on what grounds; but it must have been so, because it applied just as much to white people as to colored people; as much to the western part of the State, inhabited almost entirely by white people, as to the central portion, what is called the Piedmont section, where there are a very few white people.

Q. The poor whites are largely Republican, are they not?—A. I never found that to be true.

A. Is it not true of the white farmers in the mountain districts?—A. have always regarded the politics of the white farmers in Western orth Carolina, in the mountain districts, as floating capital; which- er party will give the greatest advantages they will generally vote r; whichever offers them the most inducements will get their votes.
Q. They were men of strong Union sentiments during the war?—A. enerally so.
Q. You say you think the farmers of North Carolina are as pros- erous as those of any part of the country, or more so?—A. I said ually so.
Q. How do those farmers get along who have no law practice to sup- ort them?—A. About the same as farmers generally.
Q. Did you not say that experience had shown that a man could not arry on a farm in North Carolina unless he had a law practice to sup- ort it?—A. No; I said that when a lawyer attempted to carry on a rm, *his* experience was that it took his practice to support his farm. meant by that, that if he had any practice at all, he would have to ttend to it, and must, therefore, neglect his farm, when he ought to e at work upon his farm; he would be called away to the courts, and o his office, just at the time, perhaps, when farm work was most press- ng, but it would have to be left undone, and farming cannot be made success in that way.
Q. About how many emigrants have left North Carolina, do you esti- ate, during the past year?—A. I should say, without pretending to be xact, that there have been probably 2,500 or 3,000, including men, omen, and children.
Q. Within what time has that migration taken place?—A. Mostly ithin the past six months.
Q. From what counties has this emigration principally been?—A. ostly from Greene, Lenoir, Wayne, and Jones.
Q. What do the emigrants allege as the cause?—A. The cause they ave told me is that they could have better wages in Indiana and Kan- s, better chances of living, and better educational facilities than in orth Carolina.
Q. Have you heard of any political reasons?—A. None until since I me here.
Q. By whom, since you came here, have you been told that there re political reasons for this migration?—A. By a man named Otey— M. Otey.
Q. What political reasons did he give you?—A. He did not give me y; he told me what reason he had heard given by another man.
Q. What other man?—A. A gentleman named Mendenhall.
Q. Where does Mr. Otey live?—A. At present in this city.
Q. How many men have you heard of inducing this emigration from rth Carolina?—A. I have heard of several; perhaps half a dozen or re.
Q. Give their names, please.—A. I do not know that I can name them .
Q. Give the names of some of them.—A. I have heard that Mr. Duke- rt, for instance, was one of them.
Q. Who else?—A. Taylor Evans.
Q. Is Taylor Evans a white or a black man?—A. He is a black man.
Q. Can you name any other person that you know of?—A. I do not ow of any other.
Q. Were there any others?—A. Yes, sir.
Q. Why can you not name them?—A. Because in many cases the

names were not given to me. A colored man would come to me and say, "Mr. O'Hara, a man has been around through our section talking thus and so; what do you say about it?" Perhaps he might tell me the man's name, and I might forget it; perhaps he might not know the man's name himself.

Q. Were they your own people—colored people?—A. Generally so; the colored men would come to me and say, "I heard a colored man, a stranger to me, talking so and so"; or, "they had a little meeting at such a place the other night, and a man made a speech in which he said so and so."

Q. Were you ever at any of those meetings?—A. No, sir.

Q. Did you hear a report of the speeches?—A. Yes, sir; I have heard them reported by many.

Q. But you never heard anything said down there about any political motives?—A. No, sir; the first person to assign a political motive is the one heard of here—Mr. Mendenhall.

By Mr. BLAIR:

Q. What wages will a colored laborer receive per month in North Carolina?—A. From $6 to $10 per month; sometimes $12.

Q. And board himself?—A. No, not board himself; our rule is mostly payment with rations.

Q. A monthly payment of from $6 to $10, with rations?—A. Yes, sir; and a cabin, besides, generally, a small piece of land for a garden.

Q. What are the daily wages in cases where the colored laborer works and receives pay for his work at the close of the day in money; are there any such cases?—A. O, yes, sir; in the cotton chopping season, for instance.

Q. I mean the average—not when wages are especially high?—A. I was compelled, when I was burned out in April, to employ some labor, and I then paid from 35 to 50 cents a day.

Q. Would that be about the average of wages per day?—A. That is what was told me.

Q. What was the work you had for them to do?—A. I had them cut down some trees, and clear away the *débris* from the place where I had been burned out.

Q. Ordinary rough, heavy work?—A. Yes, sir.

Q. You were going to speak of the employment of men at some other work, at which wages were a little better; when was that?—A. During the cotton chopping season wages are 75 and 80 cents a day.

Q. What do you mean by the "cotton chopping season"?—A. After cotton is planted and comes up, it always comes up too thickly, and it is necessary to go over it with a hoe and cut out the surplus plants, leaving only enough to thrive.

Q. Do you know what the wages of laborers are throughout the North?—A. No, sir; but I know this, that the same class of unskilled laborers would not have averaged more than $10 or $12 per month.

Q. Are you aware that negro labor, which gets 25 and 30 cents a day in North Carolina, gets twice as much there as in the North?—A. I do not know that it does.

Q. Do you know that that has been pretty generally stated to these colored people?—A. No, sir; I have heard of it.

Q. You do not know that it is a fact?—A. No, sir; I do not.

Q. I understand you to disclaim that there is any political influence at work in this exodus movement of North Carolina?—A. No, sir; I have not.

Q. Did you have any information to give your colored friends as to wages in the North?—A. Only as I have heard and learned of them.

Q. What have you told them that a colored man, who could get 50 cents in North Carolina, could get in New York?—A. I have given them no information on that subject.

Q. Was it not the first thing that one of these colored men, of the class you represent, would ask when he came to you for information? Didn't they think they could get higher wages, and save money enough, in a short time, to buy them a farm?—A. Yes, sir; a great many did.

Q. You say a great many expected to get farms. Did they expect to get them without money?—A. I think some of them did.

Q. You do not think that they are a race of fools, do you? You are a pretty good illustration, yourself, that they are not?—A. No, sir.

Q. You think they have a good deal of mother wit, do you not?—A. Yes, sir.

Q. Well, Mr. O'Hara, if you are a fair representative of their interests, you will get their votes?—A. Yes, sir; though sometimes their votes are bought from them.

Q. Don't you think that they can look out for number one about as well as average native Americans?—A. Yes, sir.

Q. And the main portion of them are pretty sharp?—A. Yes, sir.

Q. You say they expected to get a dollar and a dollar and a half a day in Kansas and Indiana?—A. Yes, sir.

Q. Now, was this expectation of buying a farm—didn't they expect to get it by earning the money, the same as they would have to do in the South?—A. Yes, sir; that is correct. But you do not seem to get my idea about their situation.

Q. I think I do; and you will pardon me if I examine you after my own fashion. You wanted to keep the colored voters at home, didn't you, where you need them yourself?—A. I do not so desire for the purpose you refer to.

Q. You are a colored politician, are you not?—A. Yes, sir.

Q. And you are quite as smart as the white ones generally?—A. Well, sir, I do not know as to that. I thought I was called here to answer questions, and not to argue them. But if you desire, Senator, to argue them with me, I shall try to accommodate you.

Q. You are a carpet-bagger, are you not?—A. Yes, sir.

Q. A colored carpet-bagger from New York to North Carolina?—A. Yes, sir.

Q. Did you teach school down there?—A. Yes, sir.

Q. And you are now a leading lawyer there?—A. I don't know as to how far I am a leading lawyer.

Q. You came here to Washington as a contestant for a seat from North Carolina in the House?—A. Yes, sir.

Q. And the jury to pass upon the case is composed of white men?—A. Yes, sir.

Q. And mostly Democrats?—A. Yes, sir.

Q. And you think your testimony is in the line of the general feeling of the colored people of North Carolina?—A. Yes, sir; I think it is.

Q. I do not ask you now, Mr. O'Hara, if it is a fact; but, I say, do you think you are talking the general views of the colored people of North Carolina?—A. I think I do, Senator. I think, in fact, I do represent their views.

Q. I want to ask you for the state of mind of these people who go South. Do you think that this movement arises from a settled state of mind on their part?—A. No, sir; I do not.

The CHAIRMAN. You asked, Senator Blair, for a state of mind, and I desire to have the witness answer without you doubling questions on him.

The WITNESS. You may double the questions as much as you please, but I only ask you to allow me to answer them when you do.

Senator BLAIR. I do not think the witness needs protection.

The CHAIRMAN. It is an imputation which you have just cast in your previous questions upon the motives of this witness in testifying before this committee that he was a carpet-bagger and a negro from the North who was trying a contested election case against a white man before a white jury composed of Democrats.

The WITNESS. I understand fully the imputation, that I was bringing testimony here before this committee in order to affect my case in Congress.

Senator BLAIR. Then I say distinctly that I cast no such imputation upon your motives; I do not want to be so understood. And now let us resume this examination.

Q. (By Mr. BLAIR.) Do you not look at this matter from a different standpoint from those colored men who are emigrating to the North?—A. No, sir; I do not think so.

Q. Do you know the motive of these men who go to the North?—A. I think I do.

Q. Will you state what motive or those motives may be.—A. The principal motive, so far as I know, is that they will get larger wages when they get to Indiana; that they will receive a bonus from the government; and that they will get fuller protection in their property and rights when they get there. My reason for stating these grounds is quite a number have been to me at my office to ask what the government was going to do for them. They stated that they had been informed that they were to receive new clothing when they got here to Washington, and were to receive $1.50 a day for their labor in Indiana and I have invariably stated to them that the government could do nothing for them. I have stated that Congress will not and ought not to give them anything. I am one of those who think the American negro ought to be left to work out his own destiny, and that he has been a foundling and a ward too long already. At the same time, I believe that no man ought to be made discontented in his condition simply in order that he may be cheated out of that which he has.

Q. And you claim, if I understand you, that false representations are made to these people?—A. So far as the government aiding them with lands and giving them clothes, they certainly have had false representations made to them.

Q. Now, what do you know of the influence of that statement upon these men?—A. I suppose it had an influence and a favorable one, because they acted upon it. Had they not given credence to the report they would not have gone, I suppose.

Q. What man who went out in connection with the exodus to the West has ever told you why he had gone?—A. I saw several who said they were going there because of these statements.

Q. But you informed them properly at the time, did you not?—A. I do not remember, sir; I generally do. I have seen large numbers of these negroes *in transitu*.

Q. Have you known any of those that went out to come back?—A. Yes, sir; but I have not been down in that section of the country where they went from much of late; in fact it is not yet time for many of them to get back.

nat was about six months ago, wasn't it, Mr. O'Hara?—A. I be-
bout it.
was six months ago, was it not, Mr. O'Hara, when this exodus
gun?—A. I believe it was.
ou have known all the time that these things were true?—A.
r.
nd that these statements that you say were false and were mis-
ntations had been circulated among these people?—A. I think

nd you have contradicted them pretty generally?—A. Yes, sir,
as the government provisions were concerned, and as to what
ould receive when they got there, but not as to the wages, for I
know much about them. I have done this, however, with refer-
that: I have shown them from the published reports that laborers
get a dollar and a half a day. The wages paid about the towns
ies and by corporations might sometimes be higher than that
the average laborer for day work, but in that case I suppose it
it is everywhere else—the men are paid more than on the farms,
netimes paid more for their political influence than for their labor.
o you know whether these contradictions have been as universally
ted as the statements themselves?—A. Not at all, sir.
nd the exodus is still going on?—A. I have heard of a number
e still going.
o not you know that it is increasing?—A. No, sir; my under-
g is that it is decreasing. I think most of it is from the counties
oir and Greene, where I have not been recently.
hen your information is not sufficient for you to speak of those
s?—A. No, sir.
ou do not mean or claim to give to the committee information
ing the exodus outside of your own State?—A. No, sir; I do not.
Who was your competitor in your last race for Congress?—A.
William Throne.
le was a white man, was he not?—A. Yes, sir.
nd a rival candidate for the place?—A. Yes, sir; and a carpet-
from Pennsylvania.
Well, he was a carpet-bagger just as you were, from the North?—
, sir.
used the term as it has been used pretty much throughout the
, and only because I thought it remarkable to find a colored
the South who was a carpet-bagger.—A. I take no offense at
olication of it. I went there to live among my people. These
alone the views I have expressed here, and I have not expressed
view of my present contest in Congress, but I have expressed
verywhere in private and in meetings of the colored people in
Carolina.
idge Throne was a white Republican, you say?—A. Yes, sir.
ow many did he poll in the election?—A. I do not know, sir,
annot remember.
was a very trivial number, was it not?—A. Yes, sir; but the
of that was——
lid not ask for the reason; I asked if it was not a very trivial
of votes that he received.—A. Yes, sir.
nd your other competitor was a colored man?—A. Yes, sir.
ow many votes did he have?—A. I think about 3,000.
ow many votes did you have as a fact and as you claim?—A.
17,000.

Q. How many majority was there against you as counted?—A. thousand and some odd.

Q. Now, if the entire Republican vote for Throne and yourself and Harris had been cast for one man, he would have been elected by a very handsome majority?—A. Yes, sir.

Q. Out of that large number of votes, how many do you suppose were white men?—A. I do not suppose there were a hundred. I see that a couple of Quakers voted for me.

Q. How man Democrats were colored?—A. I do not suppose there were more than 50 or 75. I have not learned of any colored men who voted that way in my section.

Q. How many Democratic votes were counted against you?—A. I believe Captain Kitchin's vote was 1,022 majority.

Q. Now, will you give us the number of colored votes cast in your district, and the way those votes were divided between the parties? Your vote was about 17,000?—A. Yes, sir.

Q. Your colored competitor 3,000?—A. Yes, sir.

Q. And Throne's how much?—A. Very few, sir.

Q. Less than a thousand?—A. Yes, sir.

Q. Will 500 do for him?—A. Yes, sir.

Q. A reasonable aggregate for him would be 500, you say?—A. Yes, sir.

Q. How many Democratic votes were polled?—A. 10,500.

Q. The Republican votes, all but 200, are colored, and that leaves about 22,200 colored?—A. Yes, sir.

Q. And all the Democratic votes were white, you think, except about 75?—A. Well, say give them 200 who are colored.

Q. So it comes to this, that in this district, where the right of suffrage is free, and the colored people are substantially united, and for the Republican party, a white Democrat is sent to Congress to represent the district?—A. Yes, sir.

Q. Have you any idea that the same thing is done in the other States as between the two parties?—A. I do not know, as I have not been there to see.

Q. If you have any opinion on the subject please give us that.—A. I have not one. I should only know about that from what I have read and heard, but as to our own State I know just how it stands.

By the CHAIRMAN:

Q. On this question of wages, Mr. O'Hara, I wish to ask you a few questions. Where the wages are 35 cts. or 50 cts. a day, do you mean that that is where the man boards himself or where his employer boards him?—A. I feed those whom I hire, and it is generally understood that they are fed when hired by the day.

Q. You feed your hands and give them rations?—A. Yes, sir.

Q. And you have no understanding, you say, that the prices paid to laborers are better or very much better in Indiana than in North Carolina?—A. For that class of farm laborers I do not think so.

Q. In these circulars that you read to these people and that were used by you to show the inducements offered to white emigrants, what was the general rate set down there?—A. From $10 to $15 a month; ranging between that.

Q. And you say as an average the rate was about $12?—A. About that.

Q. Well, that is not much different from what the colored laborer gets in North Carolina, is it?—A. No, sir; and then I took into considera-

n this other fact that in North Carolina he would never have to com-te with the German or other foreign labor, and besides, so far as I ow. no matter what the compensation for their labor is, there are lored men who will not work. Then there are others who can always t work. Again, in the North white mechanics and skilled laborers ill not work at the same bench or on the same house with the colored echanic. but there in our State the colored mechanics, carpenters and rick masons, have pretty much the monopoly of the work, and hence was that I stated to them to stay in North Carolina.

Q. The question was put to you by Mr. Blair as to whether you are ingular and alone in your views with reference to this emigration. I sk you what is the fact as to the leading and the most intelligent men f the country in the Republican party of your section?—A. I think I xpress their views, and if you will allow me, I think I have a paper ere giving an account of a meeting held in Raleigh, which I will show o the committee.

After searching for the paper the witness said:

I have not the paper here, but I will show it to the committee at some other time.

Q. Mr. O'Hara, as I understand, your people are publishing a good many newspapers. Will you please tell us some of them?—A. Well, sir; The Journal of Industry, at Raleigh, The Star of Zion, at Concord, The Concord Pilot, The Raleigh Standard; I think about six in all.

Q. What proportion of those papers are supporting this movement?—A. Not one of them.

Q. You state that the entire colored press of North Carolina is opposing it?—A. Yes, sir: every one so far as I can hear.

Q. All of them without a single exception are throwing obstacles in the way of this emigration?—A. Yes, sir.

Q. Take Mr. Frederick Douglass, I believe he is regarded as a representative man of your race?—A. I think he is.

Q. I have been informed that he is opposed to it?—A. I believe that he is, and in fact nearly all of our prominent colored people are opposed to it except these few men here about Washington. I am in communication with a number of intelligent colored men, all of whom are opposed to this emigration.

Q. You think the weight of influence of these intelligent colored men is all opposed to the movement?—A. Yes, sir.

Q. What do you think of the influence of these colored men in this city who are helping the movement?—A. I cannot say, sir; I have not conversed with any one of them upon it, and have been otherwise engaged.

Q. There, is however, a wide diversity of opinion between them?—A. Yes, sir.

Q. That is, so far as you know; and so far as you know, the press of your State is opposed to it?—A. Yes, sir; I may say the entire colored and white press of the State.

By Senator WINDOM:

Q. You say the leading colored men are all opposed to the exodus?—A. Yes, sir; I think so.

Q. You spoke awhile ago of the intelligent colored men of the country. Do you mean to confine the word "country" to North Carolina?—A. No, sir; I did not mean to say that North Carolina was the entire country. I said the entire press of North Carolina, and a large proportion of the colored men *whom I have conversed* with are opposed to it.

Q. Well, I understood you to make the remark as applying to the country generally?--A. I do not know, sir, as I did.

Q. Well, now, what is the truth, Mr. O'Hara, as to the intelligent colored people of the country generally?—A. I do not know, sir.

Q. Do you know any of the intelligent colored people of the country who are opposed to it?—A. I do not know, sir, that I could name any. I am not busying myself to keep in communication with them on the subject.

Q. Do you know anything of the action of the national colored convention last year at Nashville on this subject?—A. I was invited, but as I thought I saw the finger of two or three men in there whose purposes I suspected, I did not go.

Q. You do not know, then, what its action was?—A. No, sir.

Q. Nor the views of the colored men of Georgia, Alabama, and Mississippi and the other States, who were gathered together there?—A. No, sir; I do not. All I know relates to North Carolina, and I know a number of the prominent men of the State are opposed to the exodus from there.

Q. Who are they?—A. I do not know that I can particularize them, but I know the fact from speaking with them in social gatherings and casually.

Q. I wish you would repeat that remark reported to you by the gentleman as having been made by Mr. Mendenhall.—A. Mr. Otey, of this city, stated that the object of the association at first was to aid those parties who had emigrated from Mississippi, Louisiana, and other places, and who were reported to be suffering in Saint Louis and depending upon their cold charities. Mr. Otey became a member of the society and thought that was the object of the society until Mr. Mendenhall suggested that Indiana was a doubtful State, and he thought it would be a good idea to take the negroes out of Virginia and North Carolina, as they were States of easy access, and remove them to Indiana to carry the State.

Q. Do you know the time when that was said or alleged to have occurred?—A. I think I do; it was at the first or second meeting of the association. He had been elected vice-president of the society, and on account of that he severed his connection with it.

Q. He is an editor, I believe?—A. Yes, sir; the editor of The Argus."

Q. Where is that paper published?—A. Here in Washington City.

By Senator BLAIR:

Q. Do you know of any one having been to North Carolina, or of anything having been done about this exodus until Perry and Williams came from there last October with some of these people?—A. I do not know anything about Williams, and I do not think that Perry was out of the State until some two months ago. I was down in La Grange at the place where he lived, and asked about him, and then it was they told me he was engaged in this emigration business.

Q. They resided there in North Carolina, did they not?—A. Yes, sir.

Q. And did you know of any actual exodus until they came into it?—A. Yes, sir. I knew it had been worked up and excursions had been given to various points and speeches made in the interest of the removal of the colored people.

Q. Of course it was worked up, or these men would not have left the State?—A. Yes, sir.

Q. And you knew nothing of it when it was being done?—A. Yes

sir; I knew it only in a general way, and did not pay much attention to it at first.

Q. And these men Perry and Williams you say were actual residents of the State?—A. Yes, sir; and I do not think that Perry left there voluntarily.

By the CHAIRMAN:

Q. What were the compelling motives, Mr. O'Hara?—A. I do not state that. I think the records of the State will show.

Q. You can tell it yourself, if you know, as this investigation is very open and wants all the facts?

Senator BLAIR. I do not think, Mr. Chairman, we ought to allow this man to guess at it?

Senator VANCE. I would not like to guess at it myself.

On motion, the committee adjourned to Saturday, January 24, at 11 o'clock a. m.

FOURTH DAY.

WASHINGTON, *Saturday, January* 24, 1880.

The committee met pursuant to adjournment. Present, the chairman and all the members of the committee.

TESTIMONY OF MR. J. P. DUKEHART.

JOHN P. DUKEHART sworn and examined.

By the CHAIRMAN:

Question. Mr. Dukehart, where do you reside?—Answer. Baltimore.

Q. What is your full name?—A. John P. Dukehart.

Q. How long have you resided in Baltimore?—A. Fifty-five years.

Q. I take it it is your native place?—A. Yes, sir.

Q. State what your business is at this time.—A. I am Southern passenger agent of the Baltimore and Ohio Railroad.

Q. How long have you been passenger agent of that road?—A. Six years.

Q. What were you before?—A. I was conductor on the road.

Q. Between what points?—A. Baltimore and Washington; also Wheeling, and in fact over the entire road.

Q. How long have you been in the service of the Baltimore and Ohio Railroad?—A. Next April will be thirty years.

Q. You may state whether your road is engaged in carrying the colored emigrants from North Carolina?—A. Yes, sir; we are carrying all that I can sell tickets to.

Q. Have you the number of persons that you have been selling tickets to?—A. I cannot tell how many tickets we have sold. I never took any account of the children who went over the road. Of course we can tell by an examination of the books how many tickets have been sold, both wholes and halves, but I do not know the entire number of people who traveled over the road, men, women, and children.

Q. Above what age are children required to have tickets?—A. Five years.

Q. And all children above that age have tickets to show for?—A. Yes, sir.

Q. When did this movement commence?—A. The last Whitsuntide, which is the great holiday for negroes, I received orders from our department to go to Weldon and look to this movement of the exodus, which I did, and when I arrived there I found the Pennsylvania Railroad and the Chesapeake and Ohio Railroad already interested in it. The whole movement fell through at that time on account of a want of confidence in the negroes: but about the 25th of October I received a notice to go to a place called Le Grange, in North Carolina, and had my attention called to two negroes named Perry and Williams. I was to see them at once. I was engaged at that time in securing a number of emigrants from Midland, in Virginia.

Q. Were they white or colored?—A. White. You know, Senator, there is a great deal of competition in this business. I received a telegram from Baltimore saying that the Pennsylvania agents were there at Le Grange, and were trying to get this emigration. I went to see Perry, and gave him the established rates over our line of road and left him; and in ten days I received another order from our road to go to Le Grange, as the party were about to leave and had money to pay their way.

Q. What month was that?—A. That was in the mouth of November. I went there and found that there were forty ready to leave, and all of them were going to Indianapolis.

Q. To Indianapolis?—A. Yes, sir. But I only got them to purchase eighteen tickets, on account of their being told that when they reached here they would receive their tickets here at Washington. Perry was at the train at the time. I took them to the train. They were to raise me $270 to pay for their tickets, and they did not raise it for me at the time; in fact I had to hold the train.

Q. Where was that?—A. That was here in Washington that I am speaking of; after they got here.

Q. Who was to raise the money?—A. This committee of the emigrants' society.

Q. Who was that committee composed of?—A. Of Wall and Adams. Adams paid me the money himself.

Q. How much?—A. Two hundred and seventy dollars.

Q. Mr. Dukehart, was that the first lot that went over your road?—A. Yes, sir.

Q. Did they engage for that lot before they left North Carolina?—A. Yes, sir.

Q. And you brought them this far on their responsibility, or did they have the money raised for you?—A. It was raised for me. They paid their way from North Carolina all the way through here, and then they paid from Washington through to Indianapolis.

Q. And before you would let them go from here they were made to pay to Indianapolis?—A. Yes, sir.

Q. And that money, you say, was raised by this committee?—A. Yes, sir.

Q. In a general way, let us know what plan you finally fell upon for carrying these people to Indiana—what the arrangements were in detail.—A. The first arrangement was made on the Wilmington and Weldon Railroad, and they were to give a $15 rate from Goldsborough to Indiana.

By Senator VANCE:

Q. That is, the Wilmington and Weldon was to prorate with the *other roads*?—A. Yes, sir.

By the CHAIRMAN:

Q. The Baltimore and Ohio Railroad has no road south of here?—A. No, sir.

Q. And you went, you say, as the Southern agent to get this business?—A. Yes, sir.

Q. And you stated to them to make a rate of $15, and prorated among themselves, that is, the roads between here and Goldsborough, and when they got here your prorate would be $9 on to Indiana?—A. Yes, sir.

Q. That was the first arrangement?—A. Yes, sir. After forty-four tickets had been sold the Wilmington and Weldon flew the track and went back on us and demanded their second-class rate of $3.15 for each ticket, and we could then issue no more through tickets. That left us in the dark. We fished around there, however, bidding for rates. The whole town was filled with people, and we had a great deal of trouble telegraphing backwards and forwards, and finally we got a rate of $16.60 to Indianapolis.

Q. There has been some testimony here, Mr. Dukehart, of an alleged drawback of one dollar. Tell us about that.—A. Well, sir, in working for this business there is a commission allowed to the leader of all parties. In that party at Midland I gave a dollar drawback. It is a thing established by all the lines, I believe, and in Wilmington I agreed to pay a dollar commission on every passenger that the agent got.

Q. Who was that agent?—A. Z. Taylor Evans. I paid him a dollar for every full ticket, and a half dollar for every half passenger.

Q. You say that was Z. Taylor Evans?—A. Yes, sir.

Q. Is he a black man himself?—A. He is pretty black and has thick lips.

Q. Was that money paid by him for these tickets?—A. No, sir; he only got his own commission. I have always paid every cent in Goldsboro' to Taylor Evans.

Q. You say that Wall and Adams came to you and paid for forty of these negroes?—A. Yes, sir.

Q. And you estimated that that came to $270?—A. Yes, sir.

Q. And on all moneys paid by this emigrant aid society, do I understand you they received back a dollar for each person?—A. Yes, sir. On every ticket paid for by money furnished by them I paid them back a dollar.

Q. Have you any means of stating to the committee how many passengers, half and whole, passed through this point?—A. Yes, sir; I can tell you all who passed from this Southern country through.

Q. Will you please give to us the figures as near as you can?—A. The Baltimore and Ohio Railroad Company has sold to these emigrants 763 tickets, and out of that number there were 235 half tickets. That was all the tickets sold by us going west. I take a little pride in the fact that I sold to all that were sold to. I think that I was able to capture all who went to Indiana, and the other roads got nothing.

Q. Can you tell us what the proportion of the money that was paid for the transportation of these emigrants was furnished by this committee from this point on?—A. I cannot say, sir. All that I know about it was the $270 paid me. There were a large number in North Carolina who raised the money to pay their fare to Washington. There were 164, I think, on the second trip. There were a very large number on board the train who had no tickets, and the conductors came to me and said, "What shall we do with them?" I said that I did not propose

to take charge of them and charge my company with the expense of bringing them here, and they put off about 500.

By Senator VANCE:

Q. Where was that?—A. At Goldsboro'.

Q. But there were 164 who came through to Washington.—A. I took a sleeping-car and came through with them myself. On that train there were 65 who were ready to pay their fare, and I sent them through at $16.60 a head. The others were taken to a church here and kept there.

Q. That is the second party that you speak of?—A. Yes, sir; that is the second lot, 164. That is the largest lot that ever came over the road.

Q. Did the committee pay you for it?—A. No, sir.

Q. Whom did they pay it to?—A. To our ticket agent.

Q. Do you know how many were sent?—A. They went off in separate lots as the committee raised the money. I think probably some of them are here yet.

Q. Did the ticket agent pay the drawback to them?—A. I do not know, sir. I was not here. There was an arrangement I know to pay the drawback, and it might have been settled in Baltimore.

Q. You are the Southern passenger agent of the railroad?—A. Yes, sir.

By the CHAIRMAN:

Q. You are allowed to make arrangments with different parties to get up passengers for the road?—A. Yes, sir.

Q. What is the fare from your depot down here to Indianapolis?—A. Sixteen dollars, limited tickets, three days, first class.

Q. Are your emigrant tickets the same?—A. Yes, sir; they are the same for emigrants.

Q. You make no distinction as to color?—A. None in the world.

Q. With what road did you have your principal competition for this business?—A. The Pennsylvania and the Chesapeake and Ohio Roads.

Q. And you beat them by bidding better than they did?—A. I do not know, sir. They watched us as close as we watched them without getting up a railroad war, which Garrett and Scott are both afraid of.

Q. You say that Taylor Evans was an active man in the business; do you know where he lived?—A. At Goldsboro'.

Q. Do you know anything of his motives in recruiting crowds of emigrants to go to Indiana?—A. No, sir. I do not.

Q. Do you know from what he has told you?—A. He tells me that he commenced this thing a year or eighteen months ago, speaking about in the country and working up the movement.

Q. What did he tell you about secret societies for the purpose?—A. Nothing at all.

Q. And you have never heard anything about that even from him?—A. No, sir; not even from him. You would be surprised if you were in my office in Lynchburg to see the proposals and letters sent to me saying "I have five hundred emigrants ready to go to Kansas," and asking for rates of fare and all that, and if you go to the place you will probably find one or two men ready to go and neither one of them with money enough.

Q. Mr. Dukehart, you have been mixing with these people down there please state what their idea is as to the wages they will receive and what they will get when they go to Indiana. Have you seen any of those chromos of the homes they are to receive or any of the circulars that have been distributed among them?—A. I have seen some of the *circulars* among them stating that good wages would be paid.

Q. How much?—A. Well, about a dollar, a dollar ten, and a dollar and a half a day.

Q. For what sort of labor?—A. For farm hands.

Q. With or without board?—A. I didn't see as to that.

Q. Whom were they signed by?—A. These things emanated, I believe, from "The Greencastle Banner."

Q. Is that a paper published in the town of Greencastle, Indiana?—A. Yes, sir.

Q. And they were published from that paper as editorials?—A. Yes, sir; and also statements published in that paper made by negroes who had gone out there.

Q. Were they not principally distributed about there by Perry, Williams, and Scott?—A. I never saw Perry's or Williams's names there; they did their business principally through mass meetings.

Q. You stated in the opening of your testimony, I believe, that Perry left North Carolina suddenly. Have you any explanation of why he left?—A. They had him indicted by the grand jury in La Grange for forging school certificates, and he left a hundred dollars which was raised by his church people to make his bail, and he came away and has not gone back.

Q. You stated something of the competition. State if you have any information as to any other road moving for this business; if so, please state it.—A. The last party I brought through came last week—at least I secured them, and the Chesapeake and Ohio were bidding for them $2.50 less on the ticket, but I held on to them. I have a telegram this morning that they are, through their agents, about to establish an office there to sell tickets to this business.

Q. Where is that?—A. At Goldsboro'.

Q. I will get you to give me the names of the parties connected with the Chesapeake and Ohio Railroad Company who know these things?—A. Well, sir, there is Mr. J. C. Dane, the Southern passenger agent, resident at Richmond; and Henry Washington, at Greensboro', is also an agent of that road.

Q. Mr. Dukehart, you have spoken of receiving a great number of letters proffering crowds of emigrants to go west. Is it well understood among these people that any person getting up a crowd will get a dollar a head for them?—A. No, sir.

Q. Then, between you and Evans it was a secret arrangement?—A. A. No, sir; everybody did not know of it, I suppose, because those who pay for a single ticket do not get any drawback, but this is a special arrangement.

Q. Then the understanding is that you, as agent of the Baltimore and Ohio Railroad Company, have authority to employ an agent where he gets a dollar on every ticket that he sells to one of these crowds?—A. Yes, sir.

Q. And you would feel authorized to employ anybody as an agent who would furnish you a sufficient number to make it an object to get them over your road?—A. I would employ them for the time.

Q. That is, you give the drawback when there is a party all going together? Then if a party, by mass-meeting or by church excitement or otherwise, were to get up fifty men and women to go over your road it would be worth $50 to him?—A. Yes, sir, after you had sold the tickets.

Q. Then there was that inducement held out to Perry and Williams and all these people who were working in this business?—A. Yes, sir; that is what all the trunk lines do.

Q. And these colored *men understood that*?—A. Yes, sir; all of them.

Q. You spoke of a number of persons coming to the train to go away, more than were provided with tickets. How many were there?—A. I cannot tell you, sir.

Q. Why didn't they go?—A. Because they did not have money to pay for their tickets.

Q. Do you know what representations were made to them as to tickets being given to them by the government?—A. I do not know as to that; but I think they were told that after they get to Washington they would have a new suit of clothes and free transportation to Kansas and Indiana.

Q. And Evans, who was acting as your agent, was telling those tales to these people?—A. I will correct you, Senator. It was Perry and Williams who circulated the report. Evans did not have anything to do with it.

Q. Then Perry and Williams told these people that after they got to Washington they would be furnished a new suit of clothes and be given a free ticket to Kansas or Indiana?—A. Yes, sir.

Q. Perry was a preacher, was he not?—A. No, sir; he was a school teacher.

Q. Was he not a preacher also?—A. No, sir; I never heard that he was.

Q. Well, Williams was a preacher?—A. Yes, sir; but he went to Kansas with the first party, and has never returned.

Q. You say that they operated by mass meetings?—A. Yes, sir.

Q. They got up quite a great deal of excitement, did they not?—A. Yes, sir; and they were sent out there by these people to prospect and see that everything was favorable to their coming.

Q. And in these parties that you carried over the road there were no dead-heads except the children?—A. No, sir.

Q. And no dead-heads except those who were under five years of age?—A. Yes, sir.

Q. You consider that a very great inducement to people who are emigrating, to carry children under five years free?—A. Yes, sir; that is the rule.

Q. Did you carry other people's children free?—A. Yes, sir.

Q. Did you hear of any politics being discussed in this matter?—A. No, sir.

Q. Did you hear anything of it from Perry or Williams?—A. No, sir.

Q. You did not discuss it with them?—A. No, sir; on the contrary, I have not had anything to do with it. I said, "I am here to sell you these tickets. If you don't want them I can get out." I will say, with reference to the first party, that when I was trying to get rates every day at Goldsboro it was dark when I got the rates, and the negroes were all of them quartered in a church at Little Washington. I was up stairs in the hotel, and I got my tickets out of my satchel, went down stairs into the back yard, kicked a board off the fence, and went down to the church. I told them that our road was the only legitimate line to the West, and was a good "air-line," and all of that sort of thing. So I sold them all tickets there in the church, and came back with my pockets full of money to where the other agents were; and we had a good deal of fuss in a friendly way over my beating them so nicely.

Q. Have you ever been to Indiana?—A. No, sir.

Q. Who has gone with them from here, as a rule?—A. This man Perry I believe, until the last two parties went.

Q. Do you know who were with them?—A. I think they went in charge of the conductor. There was nobody went with them from here

re were only eighteen in the first party and twenty-five in the sec-

. Where will you go when you leave here?—A. Right back to Golds-
o, unless somebody stops me.
. Are you going on this business?—A. Yes, sir, I am, unless the
er roads should reap the advantages by my absence and scoop them

. You have made yourself very popular among them, have you not,
. Dukehart?—A. Yes, sir; I am looked upon by them as a sort of
ses. They are like sheep down there. When one leads off they all go
r the same rail. In the first instance I got them by going to the
urch and making this pathetic address to them. They think a great
l of me on account of my securing this first party.
. You say they are like sheep, and that when one starts the balance
low. Now, from your general knowledge of this subject, what do you
nk of the future of this emigration movement? Is it going to in-
ase or stand still?—A. I think just as long as those people have money
can get money to pay their fare they will keep going until they re-
ive letters from those ahead telling them not to come, or some of them
e brought back to tell them the status of affairs out there.
Q. Then you believe it will not stop unless it is checked from the
her end of the line?—A. Yes, sir.
Q. I suppose your road would not object to bringing them back if
ey want to come?—A. No, sir; if they want to come I will go over
ere to Indianapolis and do as much work to secure them as I did down
North Carolina. I will sell them tickets either way. I will even go
own to the church and make another address to them.
Q. You have the only air-line, I believe you said?—A. Yes, sir.
Q. How much of a line have you?—A. I do not know its full extent.
Q. There is a great deal of it, is there not, Mr. Dukehart?—A. Yes,
r.

The chairman here called upon Mr. George S. Koontz, one of the
gents of the Baltimore and Ohio Railroad Company, to state the line
railroad under the control of the Baltimore and Ohio Railroad Com-
ny in the State of Indiana, which he did, and then presented to the
mmittee one of the railroad company's circular maps.

Testimony of JOHN P. DUKEHART resumed.

The WITNESS. This is the regular map of the road, which shows the
ly legitimate air-line route from this point to Indiana. I never give
the Baltimore and Ohio.

By the CHAIRMAN:

Q. Through what counties does your line run in Indiana?—A. I do
ot know that I can give the counties. The map does not do so; but
enters below Defiance and runs up to Seymour and Belle Union to
ie Chicago Junction.

TESTIMONY OF SAYLES J. BOWEN.

SAYLES J. BOWEN sworn and examined.

By the CHAIRMAN:

Q. I simply find your name, Mr. Bowen, as one of a board of audit of
is concern, the Emigrant Aid Society. A paper has been presented
re showing the disbursements of that society in furtherance of this em-

igration movement. I do not recollect the amount, but whether mu or not you can state whether it is your name that is signed to th paper?—A. I never saw the paper until it was read here and kn nothing of its existence.

Q. Do you mean by that to say that your name is there without yo authority?—A. I mean to say that it is there without my knowledge authority any further than permitting my name to be used as a meml of the auditing committee.

Q. Have you acted in that capacity and allowed it to be used?—No, sir. There have been some accounts presented to me for passa money to Indianapolis for some of these emigrants. I have no recoll tion, however, of the particulars.

Q. When did you allow your name to be used?—A. I think it w two or three months since.

Q. By whom?—A. I think Mr. Wall and Mr. Adams came and ask if I would allow my name to be used, and mentioning other parties w had consented to act.

Q. And you consented?—A. Yes, sir, after being told what were t duties of the committee.

Q. And you did not know until this paper was produced anythi in connection with the transactions of the society?—A. No, sir; I d not.

Q. Have you any knowledge of the matter of this emigration exce what you have heard here?—A. No, sir; I merely acted on this pap and when I found the paper all right I put my name to it. I have h no further business connected with this emigration movement. I ha been down in Tennessee most of the time.

TESTIMONY OF GEORGE S. KOONTZ.

GEORGE S. KOONTZ sworn and examined.

The WITNESS. Mr. Chairman, I will say that I know nothing of t location of these roads controlled by the Baltimore and Ohio Compa except what I get from the maps. I know nothing of the geography that country. Our line enters Ohio in the county of DeKalb, exte ing through the northern part of the State into Lake, and into Mor thence into DeKalb, Noble, Kosciusko, Elkhart, Marshall, Porter, a Lake. Those are the counties shown by Rand & McNally's map.

Question. What other line of road does your company own or con in Indiana?—Answer. I do not know of any other. I have no kno edge on that subject.

Q. You have a road from here to Indianapolis?—A. No, sir; not r ning into Indianapolis.

Q. How do you sell tickets there?—A. We sell them by other roa We sell tickets by the C. C. and A. and other roads.

Q. That arrangement you had running in January?—A. This been the line running to Grafton and Parkersburg, and thence to C cinnati, and the Indianapolis Cincinnati and Lafayette Road running from there.

J. P. DUKEHART recalled.

By Senator WINDOM:

Question. You spoke a while ago of the Wilmington and Weldon Railroad Company flying the track in the matter of rates; do you know the reason why they flew the track?—Answer. No, sir. The first thing they did was to sell tickets through to Washington, and the next party that came along they would not sell them tickets, except to the end of their line.

Q. So that they have not sold any to Kansas and Indianapolis from there?—A. No, sir; not since the first batch.

Q. What was the destination of the first batch?—A. Indianapolis.

Q. Do you know of any efforts being made in Washington or elsewhere to keep the railroad company from taking them to Indiana?—A. No, sir; I never heard of any.

Q. What political party do you belong to?—A. I am a Democrat.

Q. To what party does Mr. Koontz belong?—A. I cannot speak for him.

Mr. KOONTZ (interrupting). I will speak for myself; I am a Republican.

The WITNESS. I began by voting against Henry Clay. Mr. Cole, the general agent, is also a Republican.

By Mr. WINDOM:

Q. Do you know of anything political in this exodus movement, or is it purely a business transaction?—A. That was what it was with me.

Q. When did you first hear of this movement? What was the information brought to you as to the character of it in that section of country? Was it simply that a large number was going, and that it would be desirable to secure them?—A. When I first went into La Grange I had a talking with Ferry and Williams. It was necessary to learn the number who were probably going, and they stated it at from fifteen to twenty thousand. I laughed at them, and they said there was no use in laughing, it was all right, and they were going.

Q. You stated, I believe, that 763 of them went?—A. Yes, sir.

Q. Since that time?—A. Yes, sir; from the 20th of November to this time.

Q. You said, I believe, that 235 of the 763 were half tickets. What class of people did they represent?—A. Children between five and twelve years of age.

Q. Then the whole number of adult tickets, deducting that amount from the other, would be 428?—A. Yes, sir.

Q. What proportion of those would you say were women?—A. I should say a half; I am only speaking of them as I saw them in the train, and I think half of them were women.

Q. Was there any considerable number between 12 and 20 years of age?—A. No, sir, not many; when a man would go out and take his family, he would come into the office and say to us, how much to Indiana? I would tell him $16.60 a head, and ask him if he had any children. I have had them to answer yes, I have got 9 head. That fellow had the largest family I ever knew to go among them. Out of that family I think he had three children who would come within the age described by our tariff.

Q. Then there would be six who would come within the ages of 12 and 20?—A. Yes, sir.

Q. Can you give any estimate of the number, out of 264, who could vote in Indiana next year?—A. I could not tell you, sir.

Q. Do you think that is a sufficient number to create all this consternation in the Democratic party in Indiana, and to alarm them as to the Democratic status of that State?

The CHAIRMAN. There is no consternation, Senator Windom, but a deal of indignation.

The WITNESS. I could not tell the number who will vote.

By Senator WINDOM:

Q. Out of the 268 you say half were women?—A. Yes, sir.

Q. Do you think it is unreasonable to say that there are 64 between the ages of 12 and 20?—A. I should say not; although I did not pay any attention to them.

Q. Then if that would not be unreasonable that would leave 200 who could vote?—A. I never looked to see after them in that regard; I think, though, to assume that would not be unreasonable.

Q. That would leave 200 males over 20 years of age, or about that?—A. Yes, sir.

TESTIMONY OF H. W. MENDENHALL.

H. W. MENDENHALL sworn and examined.

By the CHAIRMAN:

Question. Where is your residence?—Answer. Washington City.

Q. How long have you resided here?—A. Three years.

Q. Where did you live before you came here?—A. In Indiana.

Q. Whereabouts?—A. The last four years I lived at Indianapolis.

Q. Where did you live before then?—A. In Richmond.

Q. Bent County?—A. Yes, sir.

Q. What was your business in Indianapolis?—A. Part of the time keeping books for a wholesale house, and part of the time I was in the insurance business.

Q. What are you doing now?—A. I am a clerk in the Treasury Department.

Q. What department of it?—A. In the revenue marine department.

Q. In what grade?—A. First class clerkship.

Q. At what pay?—A. Twelve hundred dollars.

Q. I saw your name attached here as a member of the board of audit—did you hear it read?—A. I did not get in in time.

Q. It is a paper appealing to the people of the North for aid and sympathy?—A. Yes, sir. I am knowing of it.

Q. You were familiar with it before it was brought out here?—A. Yes, sir.

Q. Did you read it?—A. No, sir.

Q. Did you read any part of it?—A. No, sir.

Q. Who did?—A. Mr. Adams.

Q. Did you see it before it was published?—A. No, sir; Mr. Adams told me about it and asked me to read it, and I said I was busy at the time and did not do it.

Q. Did he ask you to put your name to it?—A. As a member of the committee?

Q. Did he in any capacity?—A. I don't remember whether it was Adams or Wall that asked, and I replied that I did not care.

. Then you knew this paper was circulating with your name at-ned to it for sometime past?—A. I knew it when he handed me one.
. It is dated November 15, 1879, at 934 F street?—A. It was dated n but was not printed until the 1st of December. That is my im-ssion.
. Has the Emigrant Aid Society rooms at 934 F street?—A. No, ; it had one then up stairs, but has moved since.
. Where is it now?—A. I don't know.
. Did you go up to that room you had up there?—A. Yes, sir.
. Who has the books and records of that society?—A. I don't know ything about it.
Q. Did you know Mr. Fearing?—A. Yes, sir. Mr. Adams some two three weeks ago concluded to go to Washington Territory and re-ned as secretary and Mr. Fearing was appointed as secretary in his ace.
Q. Have you ever seen the books and papers of the society?—A. No, r.
Q. Never seen any of them?—A. No, sir.
Q. Have you ever seen any letters?—A. Yes, sir. I have seen two; Ir. Adams showed me two from Mr. Langsdale.
Q. The editor of the Greencastle Banner?—A. Yes, sir.
Q. What was the writing about?—A. That he could provide employ-ment for a large number of emigrants.
Q. Did he state the number?—A. Really I don't recollect, but he said e had a large number of places for hands upon the farms.
Q. You are an Indianian yourself, and Greencastle is in Putnam County, is it not?—A. Yes, sir.
Q. How is that county there settled up and supplied as to laborers?—A. I was not there but once in my life, and I do not know anything about the county.
Q. You belong to the old Mendenhall family in Wayne, do you not?—A. Yes, sir; my father lived there.
Q. Do you know anything of how it is furnished with labor?—A. I know nothing of its statistics at all.
Q. Did Mr. Langsdale state anything as to other counties?—A. I do not think he said anything, except that if the emigrants were here to send them there.
Q. What do you know of an emigration aid society there at Green-castle?—A. Nothing, whatever.
Q. What at Indianapolis?—A. Nothing, except what I saw in the Journal a week ago, that the colored people had a meeting to establish an aid society and help the people coming there to that State.
Q. That was the colored people?—A. Yes, sir.
Q. Do you know General Straight?—A. Yes, sir; but only by reputa-tion.
Q. He has the reputation of being a white man, has he not?—A. Yes, sir; and has a very fine business, I believe.
Q. Do you know Mr. Dudley—is he a white man?—A. He is indeed in a good many ways.
Q. And the editor of the Indianapolis Journal, Mr. Walker, boasts being white man, does he not?—A. You speak of Mr. Martindale, do you not?
Q. I speak of Mr. Walker, his writing man.—A. I do not know him.
Q. You do not know anything about their employing negroes on their per?—A. No, sir.
Q. Do you take the Journal?—A. I do.

Q. Do you read it?—A. Occasionally.

Q. Have you seen Mr. Langsdale's paper?—A. Yes, sir; I have seen two copies of it, I think.

Q. Mr. Langsdale is the postmaster at Greencastle?—A. I do not know that.

Q. He is a leading Republican, is he not?—A. Yes, sir; I should judge so from his paper.

Q. And from the remarks he made?—A. Yes, sir.

Q. How often did this society meet with which you were connected?—A. I do not know, sir, but I think four times I have been there.

Q. Be good enough to tell us what was transacted?—A. I think about a year ago, about the time of the first landing of emigrants in Saint Louis, Mr. Adams came to me. I was in the Treasury at the time, and he said he was going to have a meeting at his house to aid the emigrants in Saint Louis, and asked me if I would meet with them, and I said yes. I went there and met with nine or ten persons who were there at the meeting. They were all strangers to me except Mr. Wall and Mr. Adams, and Mr. Fearing, I think, was there too.

Q. Then the first meeting of your society was on the occasion of the arrival of a large number of Southern negro emigrants at Saint Louis?—A. Yes, sir; that is the first meeting.

Q. Was Mr. Otey present at that meeting?—A. Yes, sir.

Q. Do you know Mr. Otey?—A. No, sir; I didn't know him until after the meeting, when I learned his name.

Q. You know him now, don't you?—A. Yes, sir; there was a gentleman here this morning that I took to be him.

Q. He was there at that meeting?—A. Yes, sir; he was there at that meeting.

Q. When was the next meeting held?—A. Really I do not recollect.

Q. Where was the next meeting?—A. We were assembled at the same place.

Q. Was that Adams's house?—A. Yes, sir; at Adams's house.

Q. About what time was this meeting held?—A. In point of date, I think, about one year ago, and about one week or ten days after the emigrants arrived in Saint Louis; it was in cold weather, I think.

Q. You met afterwards, about how long afterwards?—A. I cannot tell.

Q. Can't you approximate it?—A. Well, sir, it was three or four weeks.

Q. When did you have your last meeting?—A. The last meeting was some time in the latter part of the summer.

Q. Did you ever meet Otey more than once at one of these meetings?—A. I think that was one only one he attended.

Q. You have been favorable to placing these people in Indiana?—A. I have been in favor of putting them in every State we could.

Q. I did not ask you that; I said Indiana.—A. Yes, sir; I have been in favor of sending them to Indiana if they could get employment there.

Q. You advocated that disposition of them?—A. Yes, sir; in one sense of the word, I did.

Q. You spoke in the meeting?—A. I spoke that night.

Q. That was the first meeting, you say?—A. Yes, sir; I do not know that I spoke at that meeting about Indiana, but some one asked my opinion of the matter, and I said that the matter was a new one to me, but I thought there was going to be a very extensive number of people who were going to leave the Southern States and take up their residence in the North and West.

Q. Have you ever been in the South?—A. No, sir.

And you knew nothing of the condition of the people there?—A. r; except what is a part of the history of the country.
That is, what you have read in the newspapers?—A. I have read hing in the newspapers, and I generally read and believe what I a newspaper, if it is a Republican newspaper.
What kind of a newspaper did you read it in?—A. I only take est papers.
Do you read any Democratic paper?—A. I do not know that I do cularly, but I have seen some things from the Southern Okalona s.
But you believe all that you read in a Republican paper?—A. sir; I think I would.
Then you read something in these newspapers to the effect that negroes were in bad condition?—A. Yes, sir; I think the report I was in a Republican paper.
Didn't you state in your speech that the negroes would do better oing to Indiana?—A. No, sir.
What inducement did you state would be held out to them in Ina?—A. None.
Did you say anything on the subject?—A. I had never seen or d at that time anything about people coming from the South to Ina.
Did you say anything about it yourself in your speech?—A. Yes, I did.
What did you say?—A. I will tell you exactly; or rather give you substance, as I cannot tell the language precisely. I stated that persecution was as much as they could bear, and that if Indiana d offer inducements to these people I felt like a great number of would go there; and I stick right there now.
Didn't you state in your speech that as these negroes were going migrate you would like to have a large number of them come to Ina?—A. Yes, sir; I knew that a great number of them, if not all, d the Republican ticket, and I would like amazingly to see them e there, just the same as you to see the Irish coming in there be- e they generally vote the Democratic ticket.
You were in favor of their going there to vote?—A. Yes, sir; I

Are you a Quaker?—A. Yes, sir.
And of anti-slavery antecedents?—A. No, sir; my father had two ree brothers who owned slaves.
Your father emigrated to North Carolina, did he not?—A. No, sir.
Well, you stated this thing in the meeting, and Otey was there; you talked with him since on that point?—A. I do not know that ave even met together, and certainly not talked over this matter.
You are a pretty strong Republican and somewhat of a politician?
No, sir; I am not a politician. I have talked over this matter freely, but our society in no case has done anything to further the er. I stated my opinion simply, but no action was taken on it. n I said this the society was not organized, but we were staying ng the matter over. Mr. Wall was then elected president, and Mr. ns secretary.
You wish to be understood, then, that you expressed your indeent views?—A. Yes, sir; those views are mine.
Have you explained them to any of your friends in Indiana?—A. politically.
Will you answer the questions?—A. I have.

Q. Will you tell us who they were, unless they are covered by privat reasons?—A. They were private matters. I have had nothing to sa about this emigrant matter in a particularly public way.

Q. Have you received letters about it?—A. Yes, sir.

Q. From what points?—A. Indianapolis.

Q. Have you received them from any other points?—A. No, sir.

Q. If you have no reasons for not doing so, give the names of you correspondents.—A. There is United States marshal Dudley and Doc tor—I think a colored man—Dr. Elbert. I just had one postal car from him.

Q. What degree of approval do you understand this emigrant move ment is meeting with from those prominent men like Dudley?—A. I d not know. I had no information from him on the subject.

Q. Well, what is your position on it, if you can tell it?—A. He tol me, and I am sorry I did not preserve his letter, that as a politica movement the Republican party of Indiana didn't approve of it.

Q. Did he seem to think he would like to have them there to vote u down?—A. Yes, sir; I think he did.

Q. Then he disclaimed the act, but was willing to take the fruits?— A. Yes, sir; that is about it.

Q. Are those the only parties who have written to you from Indian apolis?—A. They are the only ones I recollect.

Q. And if I understood you, Mr. Dudley, who is United State marshal, while disclaiming it as an act of the Republican party, said he would be glad to have them there as Republican voters?—A. No sir; not exactly in that way.

Q. Define, then, what he said.—A. He said that if employment coul be got for them he would be glad to see them come into the States, bu the Republicans as a party could have nothing to do with it.

Q. I want you to answer the question directly whether United State Marshal Dudley approved or disapproved of this emigration to Indiana —A. As I stated to you before, that is as near as I can get at the sub stance of the letter; that is, that he disclaimed the movement for the Republican party, but if employment could be gotten for them he would be glad to have them there. Indiana has millions of acres of land, an I think her people would be glad to have them there.

Q. I thought you stated you were ignorant of the statistics of th State?—A. I know enough to know that.

Q. Where is any of that million of acres that the people of Indian would be glad to have these negroes settled on?—A. There are some i Stark County.

Q. Are you, as a member of this emigrant society, to send emigrant to Stark County?—A. No, sir; not particularly to Stark County; sent one there.

Q. You are a member of the auditing committee of that concern?—A Yes, sir.

Q. Have you sent any of these people to Shelby County?—A. No sir.

Q. Have you sent any to Marion?—A. No, sir; that is around Indian apolis; a good many have gone around there; there is a good deal o wild lands about there.

Q. What good will it do a negro to get him a home around Indian apolis?—A. Why, sir, I see farms myself there most of them cut up an included into the city limits.

Q. You say there are millions of acres of wild land in Indiana. D you know any government lands that are not taken up there at $1.2

?—A. No, sir; and I do not mean wild lands altogether; I mean
ed lands.
Where do you know of any improved lands in Indiana that the
s can get?—A. I do not know.
lave you been in Northern Indiana?—A. Only to pass over it in
to Chicago.
Were you ever in Lake County?—A. No, sir.
Saint Joe?—A. No, sir.
Marshall?—A. No, sir.
Elkhart?—A. No, sir; but I know that is a fine agricultural
and well settled up.
Who else have you known to have anything to do with this emi-
novement?—A. I do not know of anybody specially. You appear
te me out as though I was very active in this movement, which
the case.
No, sir, I have no point to make on you. I think you have testi-
ite candidly. I want the facts, and I advise you in advance that
who are supporting this emigration will have to answer for it
ter when these people get their eyes opened to the great iniquity
as been practiced upon them; I want to know the facts simply
it them on record, and this committee is appointed to find out the
n this very important subject.
WITNESS. You know the charge has been made publicly that it
political movement. It has been made by Governor Hendricks
speech and by others.

By the CHAIRMAN:

I know that. Now, then, tell me, Mr. Mendenhall, with whom you
alked or with whom you have communicated regarding this move-
—A. I have communicated with those whom I have mentioned.
er communicated directly with Elbert, but he wrote to me; he
me a postal card.
Go on, now, and tell us all you know about this emigration; who
d it, and what caused it.—A. Well, sir, about the first of October
called out of my room at the Treasury and introduced to Mr.
and Mr. Williams. That was the first time that I knew that any-
was going from North Carolina to the West. They had with them
r containing one hundred and sixty names, most of whom were
of families who wanted to leave North Carolina and go somewhere
they could be in a better condition. They had come here in ad-
to get some information as to railroads and fares, and were going
t here a week or ten days for money. Their idea then was, I
, to go to Kansas. I said to them, "Gentlemen, there are a great
colored people going to Kansas from Louisiana and Mississippi,
y opinion is that some of them will suffer." I said, "There are
States where you can get to much cheaper, and I believe fare bet-
I mentioned Ohio, Indiana, and Illinois, all of which were nearer
e people than Kansas, and that they could get there much cheaper,
thought fare better than they would do in Kansas where so many
eceded them. They said they had thought of going nowhere else
Kansas, and that that was where their company had sent them.
eported that they were reduced to starvation down there in the
and some of them were paid only forty and sixty cents a day for
abor in store orders and all that.
This was Perry and Williams who told you this?—A. Yes, sir.
How much did they say they got a month?—A. From four to six

dollars a month. They said that was the best they could do, and as they were starving they had determined to go where they could do better if possible, and I suggested to them to go to Indiana. I said to them that it was not out of their way, and while it may cost a little more to stop there you may make money out of it. They said, after studying over the matter, they thought they would do it, and I wrote to Judge Martindale and asked if they could be furnished with employment if they stopped there. I heard nothing from him, and these men were still here a week or ten days after. Then I got a postal card signed by Elbert, who stated that Judge Martindale had asked him to reply to me. He simply said to tell these gentlemen to come to Indianapolis, and I did so.

Q. Repeat the substance of what Elbert wrote to you.—A. He said that Judge Martindale had mentioned the matter to him and handed him my letter, and asked him to reply to it; and he sent a postal card telling me to send these two men to meet him in Indianapolis. They went out there, and in a week or ten days returned. I was absent at the time, but I learned that they had been to Indiana and been to Greencastle. They said that they had seen Langsdale and spoke with him, and that several farmers had come and talked to them, and said they wanted farmers on their farms. These were all farmers, I believe, who went to Indiana, and I was informed that in about, well, a few days, they returned with about fifty emigrants. They went with them to Indiana, and I understood they had got employment in the neighborhood and around Greencastle.

Q. Then, that was the beginning of the tide that has struck Indiana?—A. Yes, sir; it begun as I have stated.

Q. And you were the directing agent for the movement?—A. It was with me just as I have stated.

Q. How many men did Perry and Williams say they would deposit in Indiana?—A. I do not recollect what they said. I have not seen Williams, I do not think, since; certainly not since I came down to the depot and saw these emigrants.

Q. Are you acquainted with Judge Martindale?—A. Yes, sir.

Q. Did you see him?—A. Yes, sir.

Q. Did you have any conversation with him about these emigrants?—A. No, sir. I saw him just a little while in the Ebbitt House. I also had a conversation with Mr. Cowgill.

Q. Have you had any conversation with any of the members of Congress from Indiana this winter?—A. No, sir; I have had a conversation with nobody but Dudley, I think.

Q. Did you see Dudley here?—A. Yes, sir.

Q. When?—A. A few days ago.

Q. And had talk with him?—A. Yes, sir.

Q. Did he say he still wanted these darkies, and that he was still of the opinion that the Republican party should take no interest in it?—A. Yes, sir; he was of the same opinion, that it should take no interest in it except as the friends of the colored man; he thought that, as a party, it should take no interest in the coming of these people except as their friends to aid them when they got there.

By Senator BLAIR:

Q. What did he say about the condition of those who were there?—A. He said they are suffering, and the citizens had raised money and sent them on to Greencastle.

By the CHAIRMAN:

Q. Do you know the number of those who have gone to Greencastle?—A. No, sir; I know that is the place they strike first after leaving Indianapolis.

Q. Do you know that there has been great suffering there among them?—A. Yes, sir; I read that in the Journal.

Q. Don't you know there has been a general appeal to the people to help them?—A. Well, yes, sir. I am mistaken, though, about the Journal; it was in the Indianapolis Leader that I saw the statement of their suffering.

Q. That is the colored people's paper?—A. Yes, sir; it was appealing to take provisons to them just as done here in Washingtou City.

Q. Have you only seen that one appeal?—A. That is the only one I recollect.

Q. Have you conversed with any members of Congress this winter about this emigration?—A. I conversed with one or two, and got such poor encouragement from them that I quit.

Q. Whom did you converse with?—A. I conversed with Mr. Cowgill, but he said he knew nothing about it, and paid no attention to it.

Q. Didn't he say he didn't think it a good thing for the people, and didn't believe in it?—A. Yes, sir; I heard him say that; but he said he believed ten thousand industrious people could find employment there if they got there, and could support themselves.

Q. Then he seemed in favor of their going?—A. No, sir, I think not; I have not seen him since the regular session commenced, however.

Q. Did you talk with General Brown?—A. Yes, sir.

Q. What did the General think?—A. He had nothing to say on the subject.

Q. He was non-committal, was he? He was not anxious for it, and not particularly against it?—A. I think if he had been in favor of it he would have said something.

Q. What did he say?—A. He said it was a matter he had not thought anything about.

Q. What number did he think could get employment there?—A. He didn't state.

Q. Are there any other members here that you have talked with?—A. No, sir; not that I recollect.

Q. Have you seen Laugsdale's paper recently?—A. I have seen copies recently; that is, within two months.

Q. Did you see the articles he wrote as to the use that could be made of these negroes as voters?—A. No, sir; I never saw anything of the kind in those two papers; one of the papers was sent to the secretary of the society that had the statement in it made by those colored people as to how they were doing, and that they would never go back to North Carolina.

Q. In your opinion, from your knowledge and observation of this matter, and as a member of this emigration society, how many negroes do you think should be transported from the South to that State in order to change it from a Democratic to a Republican State?—A. I have no idea at all to express on that subject. I know there are immense coal mines undeveloped in that State where these people might be employed at good prices and become good citizens. As to the demand for labor there I do not know whether it was satisfied or not. As to the numbers needed in the event this were a political movement, that would depend largely on circumstances.

Q. You have stated that with commendable frankness. Now, I want

to ask you how far this emigration ought to extend for the benefit of the colored race and the white race both?—A. I do not know, sir, that any distinction ought to be made. If there is any colored man in the South that does not like his place of residence he ought to go away from it.

Q. And you think if ten thousand colored men want to go to the North and the railroads will help them, there is no objection to it?—A. Yes; I think there would be objections to that. There will always be objections to people being put on the State as paupers.

Q. I mean is there any limit, in your opinion, where this emigration ought to stop?—A. Yes, sir; I think there would be a limit in Indiana just as soon as they would be deprived of work. If they cannot live in the North they should go somewhere else; if they cannot live in the South they should seek a better home. If they have friends in the South and are contented, they should remain.

Q. But you think they cannot get their rights and protection in the South?—A. From what I have seen in the newspapers I should think they could not.

Q. But those who have tried to better themselves are suffering and have to be relieved by charity?—A. Yes, sir.

Q. You have heard nothing from them, have you, as to their doing well, except what you have seen from Perry and Williams?—A. No, sir; not them alone.

Q. Well, from any others?—A. No, sir; I think they told me something of it, and I read something in the newspapers. I think those who have gone will write home the truth about their condition and try to induce their "sisters and their cousins and their aunts" to come out.

Q. You read those statements in the paper, you say. Was it the Greencastle Banner?—A. Yes, sir; there were statements in there, whether true or false I do not know, but one of them said he would not go back to North Carolina for $500, and another one of them said that he had employment, a good home, and a pig and a cabin.

By Senator VANCE:

Q. You never read anything in that paper on the other side, did you!—A. No, sir; sometimes I pick up a Democratic paper and read something in there, but I do not waste money on them. I do not say that all I read in a Republican paper is true; some things in the Republican papers come from Democratic sources. I read something in a paper of what the Wilmington Post had copied, in Elizabeth City.

Q. The Wilmington Post, then, testified on the subject?—A. No, sir.

Q. Did you see a report of a woman named Maria Bryan, who was begging her way back, and what she said?—A. No, sir.

Q. You will never see it either, if you do not read the Democratic newspapers.—A. I think I would read the paper, governor, if you published it.

By Senator BLAIR:

Q. Are you the gentleman who was mentioned by Mr. O'Hara when he stated that some one member of the society left it on account of the political character which was sought to be given to this movement?—A. Mr. O'Hara said something about me, I believe.

Q. Had you and Mr. Otey any conversation in regard to this emigration movement and its political bearings?—A. I never spoke to him until after the meeting of that night.

Senator VANCE. I understood it was a speech that you made there

he WITNESS. No, sir; there were no speeches made; some one ed my opinion, and I gave it.
. (By Senator BLAIR.) Was Mr. Otey connected with that society? A. No, sir; he was there that night, but I never saw him any more, I understood he was opposed to the exodus all the time.

By Senator WINDOM:

Q. You stated that you got your information from newspaper reports out the bad treatment of the colored race in the South. Have you er read any of the Congressional reports on that subject?—A. Yes, ; I have read considerable. I have also read some of the Teller port.
Q. Did that assist you any in the way of information?—A. It conmed what I knew and had heard before.
Q. You know there are a number of volumes of Congressional reports upon that subject?—A. Yes, sir.
Q. You say you corresponded with Martindale and Elbert on this bject?—A. Yes, sir.
Q. Did you say anything to Martindale about any political motive u had in assisting these emigrants?—A. I think I wrote him as ort a note as possible, as I was in a hurry. I said that these men ere here and I thought Indiana was a better State for them to take eir people to than to Kansas, and I asked him how they could get to diana, provided they could get employment; I asked him what he ought about it.
Q. And you say he never answered that note?—A. He paid no attntion to it.
Q. You heard from it afterwards, though?—A. Yes, I heard from Ir. Elbert; he said that Judge Martindale had given him my letter nd asked him to reply.
Q. You say that Mr. Dudley said he would like to see them come to he State, but the Republican party could have nothing to do with it? -A. Yes, sir.
Q. That was the expression of this personal feeling?—A. Yes, sir.
Q. And he meant to give you notice that the Republican party ould not participate in it?—A. Yes, sir; I so understood it.
Q. You spoke of the suffering of the colored people who had arrived n Indiana; what do you know about that?—A. I just say that I saw he notice in the colored paper there at Indianapolis appealing for help or these emigrants just as they did when they were here.
Q. That is to say, they had reached there without food or money?—. Yes, sir; and they were asking help, asking the colored people, I ink, and calling upon their churches to take care of them.
Q. Do you know of any movement on the part of active Republicans colonize these negroes for political purposes?—A. No, sir; I never ard of any.
On motion, committee adjourned to Monday, 10.30 o'clock a.m., Janry 26, 1880.

FIFTH DAY.

WASHINTON, *Monday, January* 26—10.30 a. m.

The committee met pursuant to its order of adjournment and renewed taking of testimony. Present—the chairman and all members of committee.

The taking of testimony was resumed, as follows:

LETTERS TO EMIGRANT AID SOCETY.

O. S. B. WALL appeared and presented to the committee from the files of the National Emigrant Aid Society, as per previous order of the chairman, the following letters and correspondence:

I.

DEAR SIR I would like some information in regard to obtaining a colored man to work for me. I want a young single man not under 20 or over 35 years A good Horseman or *groom* active industrious & honest
Please give me what light you can and amount of wages expected
I enclose Stamp.
Resp't

C. J. PHILLIPS
Sugar Grove Penns

II.

ALLEGENY CO. *Ceres N. Y. Jan 5th* 1880

JOSHUA L. BAILEY Esq.

DEAR SIR: I saw your name in N. Y. Weekly Witness in connection with the "Southern Exodus" helpers I wish to know if we can get four or five good colored women for general housework. I want one and some of my neighbors want one each Would give them good homes at good wages in steady places could arrange to pay their fare here Want none but honest and steady ones. Will you be so kind as to inform me if you can help us in the matter.

I think I could find good families who would take fifty or more for female help in the line of general housework is scarce & unreliable here They appear to be anxious to get away from the South and here is a good place for a large number. There are a good many colored people around here but they are independent have homes of their own & do not work out much. If you do not know of any such help & can give me the address of some one who does please do so. Hoping to hear from you soon I remain
Yours truly

J. P. BROTHE M. D.

III.

AUGUST 1 1877.

We the People of the Sesson Cong. jist nr hav a Strong desier to Emagrant to Kasas Land where we can hav a home. Reason & why

1 We hav not our rights in law

2. Labors the old formare masters do not alow us any thing for our labor only in orders an the orders are Shave from 10 cts to 20 or 25 cts on the dollar

3 We hav, not our Right in the Election We are defrauded by our formar masters

4 We have not no rug to make a honnis an homble living

5 thire is no use for the)Col(to go to law after thire Right not on out of 50 Git his Rights.

6. the KuCluck Rainges in the own ways an Rules.

7. We want to Git to aland Where we can Vote an it not be a Crime to the)Col.(Voters.

8 Wages is very low wages is from $5 to 6 6 and $8 for men

9. Woman Wages is from $1.00 to $2 and $3. the hist is $4.

10. An near all of the labors hav familys to tak cear of an many orther things we could mention. but by the help of God we intent to mak a efferd to mak our start to Kansas land We had Rather Sufer an befree. than to sufer an be intangele by such enfamious degrades that are Brought upon us

11. Wags per day is 25 cts an 30 cts a day an your Boad found.

12. Wags per day 45 cts to 50 an 60 cts per day an we Boad our Selfs

13. one Grate Reason why we want to get away so Soon we do not want our Census taken no more in n. c. but in Kansas or in Som orther Places Where we will do as well The Emagrants Reason

REV S. HEATH
(chur Cham
MOSES HEATH
(Sect

Delagate

A W Heath man of hon an Good Morial.

Aug 1th 1879 at Kmstore
Cim Lencor Co. N. C.

any man wants to hear from A. W. Heath he will answer for him selfe by the God.

IV.

INDIANAPOLIS *Dec the* 1 1879

. O. S. B. WALL

R SIER I arived safte and finde the meny friendes of the Collard Emmergrantes ke trying to provide for them they heave all got Homes that are heare and ettesfide thay tel me that wood Not gon *back* to N. C. for the State Mr wall e Home for sum Money to Coum to wasington in your care please to lock oute I am very sherte I think I will bee in wasing in a few days the Committy heare to night to tak actien in the good Coyes thay say theare not going to nce a Ronnde this State to Cape the Coleud people frum Coming as everes yours Respec't truley

C A SCOTT

V.

INDIANAPOLIS *Dec* 14 1879

O. S. B WALL

RE SIER I heave met a greate meny friendes sens I arive heare I heave bin nty a lange wayes and meate with suckses I will bee in the Citty D. C. in a ayes please luck oute for my Male that will Coum in your care I heave so *to* tel you when I coum thane an a taking good Care of those Emmergrantes Coum the uther day
rs truley

C A SCOTT.

VI.

EGBERT U P. R R. *Jan.* 13*th*, 1880.

O. S. B WALL
Washington D. C.

R SIR: My wife wrote you not long since making inquiry for a colored servant, our reply of Dec. 27th your remark that while you have men & women that omes in the west, you have not a dollar in your Treasurary to send any am. You ggest that we advance their fare & retain it from their wages. We want two r middle aged women, What can they be sent to cheyenne for, Can they be . O. D. I suppose you have arrangements with R. R. companies which you can luced rates We have no acquaintance in Washington & would prefer to pay fare if it can be done In the meantime I will see if there are more servants d in the neighborhood An early reply is desired
Respectfully

A. MARTIN

VII.

FINDLAY, OHIO, *Jan.* 6*th* 1880.

ans Rileaf Association Washington D. C.

se let me know the proper steps to be taken, in regard to employing Exodusts ating to Our Western States, what they can be hierd per month &c. We want arm hands both male & female Please let me know immediately

ALEXANDER MORRISON

ess Findlay Hancock Co. Ohio.

VIII.

WASHINGTON D. C., *Dec.*, 13*th*, 1879.

B WALL Esq.

DEAR SIR Can I have the pleasure of an interview with you on Monday morn- ease advise me and oblige
Yours Truly

D. W. JANOWITZ
Passr. Agt. B & P Depot.

IX.

EMPIRE CITY KANSAS *Dec.* 30*th* 1879.

DEAR SIR I have just come from Arkansas where I have been travelling the past two years and have had an opportunity to see and learn the condition of affairs in that State. I can assure the real State of the colored race cannot be described on paper, the oppression and intimidation & deception practiced upon them in every conceivable way that unscrupulous men can invent. I can give many instances time and place if necessary

Yours Truly

A C KETCHMAN
Late Editor South Eastern Desok Mo.

X.

TERRE HAUTE IND.

Mr. ADAMS Esq.
Sec Emigrant aid Society Washington D. C.

DEAR SIR. I am Informed that you are Directly Interested In furnishing To Emigrants all Facts necessary to enable them to Select Future homes Which will Prove to them Both Satisfaction and Proffitable. In this connection therefore I Desier to Place before you Some of the advantages offered by the State of Indiana and to do so Would Properly Requier to much Space of a Simple Letter I can therefore Present only a few of the main advantages, and add that I think no other State in the union offers Greater or Better opportunities to Industrus Persons Seeking an Honst Livelihood then this State We are Blessed with coal Land that cannot be Excelled by any which Is known as the Block coal our miners Get from 90 cts. to one Dollar Per Ton and good miners can make from $2.50 to $4,00 Per day and there Is a greater Demand for coal then the miners are able to Supply within the last few days I have had applications for at Least 500 mines and at one mine alone 200 men can Get Work and whether they have had any experiance or not if they are willing to work they can soon learn all that Is Required again there never was Such a Demand for Farm Hands Farming is all the go In this State as we have Some of the Finest Lands In the World Farmers do not confin themselves to Raising any one thing the Cheaf Products are Wheat Corn oats Rye Barley and vegetables of all kinds as for Rasing Stock of all kinds never was Better and a great Deal of this Land can be Bought on Long and Easy Terms or can be gotten at on the Shers and Farm hands Get from $15 to $20 Per month and Board I will Repeat it again there never was such a Demand for farm Hands and Laborers of all Clases and I will again Repeat it that Indiana offers as good Inducements to colored emigrants from the South as any State In the union.

Agan I will say that there is no State In the Union that has a better School System than Indiana we have a Sinking fund of $7,000,000 for School purpos and the Colored People are treated the Same as the whites In these Schools for want of Time I will close I am yours as Ever.

J. H. WALKER.

TERRE HAUTE IND *Nov* 10—79

If I only had a little aid I would Do Lots of good I am going to Saint Louis Mo which Is 165 miles from here and make arrangements there to Get Reefugees to come this way but this is a private matter

W.

XI.

TERRE HAUTE IND. *Jan* 5 1880

CAPT WALL My Dear Sir I am Directed to write you concerning the colored Refugees Leaving Washington for Indiana I was Directed by Mr Perry to write you now what I want Is this the First Time you have any of those People on hand and wanting to come to this State Please Send me about 15 Families I have Places for them as Soon as they can Get here and if Such Should be the case Telagraph me at my Expense What day they will leave Washington for Terre Haute Please oblig

yours &c

J. H. WALKER
Terre Haute Ind.

TESTIMONY OF W. G. FEARRING.

W. G. FEARRING sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Temporarily here in the
y.
Q. Where did you formerly reside?—A. In North Carolina.
Q. What part of North Carolina?—A. In the eastern part, at Eliza-
h. I was raised there.
Q. You are a native of that part of the State?—A. Yes, sir.
Q. How long since you left there to take up your residence here?—
In December, 1877.
Q. What is your occupation at present?—A. I am a laborer in the
easury Department.
Q. How long have you been in the Treasury?—A. Since July 14, 1875.
Q. You may state whether you are secretary of the Emigrant Aid So-
ty of this city.—A. Yes, sir.
Q. You succeeded Mr. Adams?—A. Yes, sir.
Q. How long since you were appointed secretary?—A. I was appoint-
the 29th of last month.
Q. What records have you of the acts and doings of that society?—
I have some of the letters and minutes of the meetings.
Q. Did you bring the records with you?—A. No, sir.
Q. You brought none of the letters with you?—A. No, sir.
Q. Where were the letters from principally?—A. Some were from
rth Carolina, some from Indiana, some from New York.
Q. Could you bring them here at the next meeting of this committee?
A. Yes, sir.
Q. And the records of the society?—A. You mean the minutes of the
st meetings?
Q. Yes, sir.—A. Yes, sir; I can.
Q. I wish you would do so. What interest have you taken in the
migration movement that caused you to be secretary of the society;
ve you actively engaged it?—A. Yes, sir.
Q. In what way?—A. In getting up funds to help my brethren to
t away from North Carolina.
Q. You solicit funds for that purpose?—A. Not personally.
Q. How do you do it?—A. I helped to raise them by a concert and
other ways. A committee of 17 were appointed to get up a concert
d we realized a handsome sum by that.
Q. That was when these people were stuck here in the city?—A. Yes,
.
Q. Have you had occasion to raise any more since that?—A. No, sir;
t directly for emigrants. We also got up a lecture for the benefit of
colored fund.
Q. Do you keep yourself posted as to the number who pass through
e?—A. No, sir; for there are a good many who pass that I don't
ow anything about.
Q. You don't know anything about it until you hear of it?—A. Yes,

By Senator WINDOM:

Q. You are in the Treasury Department, you say?—A. Yes, sir.
Q. What State are you from?—A. North Carolina.
Q. What part of it?—A. Eastern part of it.

Q. Are you familiar with other parts of the State?—A. No, sir.

Q. What is your age?—A. I am 27 years old.

Q. You are engaged in promoting the exodus, and you think, of course, it is a worthy cause; what are your reasons for so thinking?—A. Well, sir, I think as the people are about to move from the South to the North to better their condition, it is to our advantage to help them along.

Q. I want to know wherein it is, if at all, to their advantage to move from the South?—A. They seem to think they can better their condition, and which I think they can do.

Q. Give your reasons for so thinking.—A. One is the school facilities which they will have in the North. In some counties in North Carolina they have only two months' school in the year. The proportion of school fund is about $50 for some of the counties, and the teachers are compelled to have $25 a month, and that makes only two months in the year. Another reason is that the farm wages are too low. They get from 30 to 50 cents a day and board, and 60 and 70 cents when they board themselves; servants in families cannot get more than $2 and $3 a month. Of course they have the right to vote, but to a certain extent they are counted out of that.

Q. How do you understand it is in the localities where these people go?—A. Do you mean Indiana?

Q. I mean any place. What is the condition there as to schools?—A. I think they have school all the year around, except in the summer months, when there is a vacation.

Q. How is it as to wages?—A. Wages are better.

Q. How much better?—A. A farm hand in North Carolina, I think, gets $6 and $7 a month; and I understand from these people who have gone that they can get $15 and $20.

Q. Do you say you learned that from people who have gone there, or from those who are inducing them to go?—A. I have received letters from parties who have gone there.

Q. You say you have received letters from parties who have gone out there, and who are getting that?—A. Well, I take back the statement as to the letters. I have not received any of that kind, but I get it from statements that I saw in the newspapers.

Q. What kind of papers?—A. The Greencastle Banner and Indianapolis Leader, copied in the Wilmington Post, in North Carolina.

Q. Are the Greencastle Banner and Indianapolis Leader both edited by colored men?—A. No, sir; one is edited by a white man and one by a colored man. I have also read statements in the Cincinnati Commercial to the same effect.

Q. Who controls that?—A. White men control it.

By Mr. BLAIR:

Q. I wish to ask you whether your knowledge of the status of your people in North Carolina is obtained from personal contact with them or from your observation at home, or from parties here in Washington?—A. It is from parties at home, friends of mine asking me to look out for them. I say that their condition there is so low that they can do nothing for themselves.

Q. Is there any prospect of any immediate improvement in wages or the school facilities there in North Carolina?—A. I hardly think there is.

Q. How has it been there during this period of reconstruction since the war as to wages?—A. Up to 1867 or 1868 farm hands got from $1 to $1.25 a day, but that was under a Republican administration. Since

hen they have been going down, and now they are 30 and 40 cents a lay.

Q. How is it as to schools?—A. We had schools six to eight months n the year there.

Q. And that you say was during the period of a Republican adminis-ration?—A. Yes, sir.

Q. How has it been since the Republicans lost control?—A. In some counties we have schools for two months and in some four. In some of the counties where there are towns there are six months school.

Q. You spoke of the manner of voting. How is it as to the exercise of the franchise since the war? How has that privilege been accorded to your people in practice?—A. We have got the right to vote, I believe, especially in the second Congressional district, where the vote does not seem to do us much good.

Q. How is that.?—A. Because, with an 8,000 Republican majority, we have a Democratic member representing us in the House.

Q. But if I understand you, you do not complain of any actual violence practiced upon your people in North Carolina; how is that?—A. Well, sir, in my section of country they attempted to organize a band of ku-klux, and the leader of it came down into my county and went out to organize his band, and we told them that we were quiet and peaceable, and we wanted them to attend to their own business, and we would attend to ours; and we said, if they organized the ku-klux, that the first colored man or white Republican who was murdered in that section we would burn down the town in revenge. That rather scared them off, and we have had no trouble there since.

Q. And you prevented the organization of the ku-klux by that threat?—A. Yes, sir.

Q. And the ku-klux was not established in your section?—A. No, sir.

Q. How is it in other parts of the State?—A. The colored people vote pretty freely, I believe, since 1869 and 1871.

Q. How has the franchise been exercised by your people since then?—A. Generally pretty freely in most parts of the State, but not in all.

Q. Where is it different?—A. Up in the western part of the State.

Q. What proportion of the colored population live in that part of the State?—A. I cannot say.

Q. Now, do not you think, Mr. Fearing, that considering all the resources of North Carolina, her climate, and the fact that your people have lived there ever since the first settlement of the country, that it will be better for them to stay there, and hope for an amelioration of their condition through their own efforts and the friendship of the whites, rather than seek homes further to the north and west, where they are unknown, and the friendship for them is mostly of a sentimental character?—A. I do not, sir.

Q. Do you think they have made sufficiently strenuous efforts to remove these prejudices, so that they are justified in incurring the dangers and the hardships of emigration?—A. I think so.

Q. Are they not acting hastily in your opinion?—A. I think not.

Q. Is there not a great deal of false information circulated among them to stimulate this movement?—A. I have not heard of any.

Q. Do you not know, or have you not heard, of any false reports circulated among them to stimulate a desire to emigrate?—A. No, sir.

Q. Has your society or have you personally any information from these men as to their condition now in Indiana?—A. I have heard from some of them.

Q. Will you give us the substance of their reports?—A. They say they are getting along splendidly, and never had such a good time in their lives; and one man said that he would not go back to North Carolina for $500.

Q. What is his condition now, do you know?—A He is living with a gentleman out there, and doing well.

Q. In what capacity?—A. As a farm hand.

Q. Do you know what wages he is getting?—A. No, sir.

Q. Do you know how many men are situated out there with the farmers?—A. Most all of them, I believe.

Q. This man who would not go back for $500, is he a man of family?—A. Yes, sir.

Q. Has a wife and child?—A. Yes, sir.

By the CHAIRMAN:

Q. How long has it been since you lived in North Carolina?—A. Since November, 1870.

Q. How long since you have been back there?—A. I was back there in the late Presidential election.

Q. You were down there then?—A. Yes, sir.

Q. You are in government employ?—A. Yes, sir.

Q. Do you go home to vote?—A. Yes, sir.

Q. How long did you go before the last Presidential election?—A. I think thirty days.

Q. And you have not been back since that time?—A. No, sir. I have been back since then, but not home; but I have been in Warrenton, my wife's home.

Q. How long did you remain?—A. About two weeks.

Q. How much time did you spend in Indiana?—A. I never was in the State.

Q. Never in the State at all?—A. No, sir.

Q. You know nothing of the State?—A. No, sir; except what I read.

Q. Have you read her laws on the subject of public schools?—A. No, sir.

Q. Do you know anything of her landlord and tenant act?—A. No, sir.

Q. You know nothing about it whatever?—A. No, sir.

Q. And you say you know of no false reports made to these emigrants in order to make them go to Indiana?—A. No, sir.

Q. Do you know that they were told that they could get $1.50 a day?—A. No, sir.

Q. What wages did you hear it stated they could get?—A. Twelve dollars to $15 a month.

Q. Twelve dollars to $15 a month and their board?—A. Yes, sir.

Q. Where did you see that?—A. I saw it in the Greencastle Banner, copied into the Wilmington Post, in North Carolina.

Q. Did you ever see these reports in other papers except those you have mentioned?—A. No, sir; except in this National Republican here in Washington.

Q. What representations did the National Republican make?—A. They copied those articles from the Greencastle Banner.

Q. Did you hear it represented that they could get from $2 to $2.50 a day as coal-miners?—A. No, sir.

Q. You never heard that?—A. No, sir.

Q. You say that this man in Indiana said he would not go back to North Carolina for $500? What is his name?—A. I do not know, sir.

Q. Do you know where he lives?—A. No, sir.

Q. Do you know what post-office he wrote from?—A. I never saw the letter; I only saw the statement in print.

Q. Do you know where he is living now?—A. I think somewhere near Greencastle, in Putnam County.

Q. Was his name signed to the statement?—A. Yes, sir; his name was signed to it as his statement.

Q. But you do not remember the name?—A. No, sir.

Senator WINDOM. I have a statement here in the paper which seems to have been made by a professor of mathematics in Indiana.

The CHAIRMAN. In what institution?

Senator WINDOM. I do not remember.

The CHAIRMAN. This happens to be the portion of a letter from Professor McNutt, who was a white man when I saw him last.

By Senator WINDOM:

Q. You said you did not see the letter, and did not see the man who wrote it?

The WITNESS. No, sir. It was marked under the head of "Colored emigrants."

Q. So is this letter in the paper this morning.—A. Well, sir, that letter I take to be the letter of a white man.

By the CHAIRMAN:

Q. Is that the letter you alluded to?—A. No, sir; I never saw that before this morning.

By Senator BLAIR:

Q. Will you not state to the committee what you want to say about this colored man?—A. Well, sir, there was a statement published in the Greencastle Banner in connection with others coming from colored emigrants, that one of them said he would not go back to North Carolina for $500, and the statement I refer to was under the head of "Colored emigrants."

By the CHAIRMAN:

Q. That letter in the Republican this morning is under the same head?—A. Yes, sir; but that is the letter of a white man, and is not the one I refer to.

Senator WINDOM (passing a paper to the witness). Do you remember whether that report of that meeting which is marked there is the one that you saw?—A. Yes, sir.

Q. The substance of the statements published in the Greencastle Banner is there?—A. Yes, sir.

Senator WINDOM. I will read this statement (reading):

LIFE IN INDIANA—HOW THE COLORED IMMIGRANTS ARE FARING.

CINCINNATI, *December* 29.

A meeting of negro immigrants from North Carolina was called for Saturday night in the court-house in Greencastle, Indiana. The purpose of the meeting was to compare experience and interchange views as to the propriety of encouraging the movement. The Democratic sheriff, however, closed the doors of the court-house against the colored men, and the meeting was not held. Pains were taken, however, by newspaper correspondents to gather from the colored men who have arrived since the movement began a number of statements of their personal experience. Greencastle is the home of Mr. Langsdale, who guaranteed homes and employment to all who would come, and the greater number of the new arrivals have naturally located in that vicinity. Of a dozen or more intelligent negroes all express themselves as greatly pleased

at the change they had made. Said Willis Statin, "I have a good plastered house to live in, with five rooms. Me and my family have plenty to eat, and we never had such good times in our lives. I would not go back to North Carolina for $500. I get sixty cents a cord for cutting wood, and cut from a cord to a cord and a half a day, besides doing other work. My wife worked for one of the neighbors yesterday and got seventy-five cents in silver for it. I have already had more things given me since I came here than I had lost in leaving North Carolina. My family is better satisfied than they ever were before in their lives. I never met as good white friends in my life. I have three children, and they will start for school on Monday. I want all my people in the South to leave there and come here. They can do so much better here, and be freemen."

A dozen others interviewed, without exception, talked in the same strain. About one hundred and fifty men, women, and children have so far settled in Putnam County. One thing that pleases them is receiving pay for their work in money instead of store orders, as they did in North Carolina. Republicans say that plenty of work is still to be had on the farms in that part of the State. Three men, who wantonly destroyed clothes of immigrants arriving in Greencastle on Wednesday, were convicted yesterday and fined, and one of them went to jail.

Q. Have you ever seen this statement?—A. Yes, sir; I think I have read the substance of it.

Q. Well, have you ever seen this statement of James A. Stokes in regard to his condition and experiences in Indiana?—A. Yes, sir; I read that letter in the same newspaper.

Q. Did that help you to make up your mind as to how these people were getting on in that country?—A. Yes, sir.

Q. Did you read the letter of Colonel Streight as to why he was helping those people and taking care of them?—A. Yes, sir.

Q. That was another evidence to your mind as to their condition?—A. Yes, sir.

Senator WINDOM. I will read this letter of Stokes (reading):

[From the Greencastle (Ind.) Banner, January 8, 1880.]

MORE EXODUS TESTIMONY.

LAGODA, (IND.), *January* 5, 1880.

GEORGE J. LANGSDALE, Esq.,
Editor of the Greencastle Banner:

DEAR SIR: I read with delight your interviews with various colored men, published in your issue of January 1, and desire to add my testimony to controvert the falsehoods that are being constantly published in Democratic newspapers.

I left Rocky Mount, North Carolina, on the 15th of December last to come to Indiana, having been told that I could do better here than there. I had thought of going somewhere to better my condition more than eight years ago, but did not know just where to go. I could only get from five to seven dollars per month for labor, and was paid in orders at the store, and had to pay from ten to fifteen per cent. above the regular prices for goods and groceries, because, as was said, the orders were "time orders"—that is, not payable for some months, they being paid in the fall and spring.

By living with the most stringent economy, on the plainest fare, and working all the time, I could hardly keep out of debt. Nearly all of the colored people find themselves involved in debt from year to year, and are not in condition to come away, though they greatly desire to do so; and they are not treated with that respect which they know is due to them, but are constantly compelled to submit to insolence and insult, besides being robbed of the just reward of their labor.

There the colored people are not allowed to enjoy their political rights as citizens. Three Democrats and two Republicans constitute the judges of election at each voting place, and the two Republicans are usually incompetent, uneducated colored men, who are appointed and forced to serve, though entirely ignorant of their duties and unwilling to act. The three Democrats control and govern the election and compel the two Republicans to do as they are bid. These are among the reasons that induced me to leave North Carolina.

The colored people having heard of Kansas and the lands there, and the chance to get homes for ourselves and families, sent two agents to view that country and to make a true report. They came to Indianapolis, and there learned that we could do very well here, and reported that fact to us. At once large numbers of us determined to leave that inhospitable country and seek homes in a land where we could enjoy those rights which are justly ours. I paid my own and my wife's fare, all the way, which was thirty-two dollars, and came right on to Greencastle. I came direct from Green-

ve truly that this country is the right one for the thousands of colored people,
darkness and under intolerable oppression in the South, to come to, and I
e the contrary position, as taken and declared by the Hon. Fred. Douglass. I
thank you for the very great interest you so kindly manifest in the welfare
nighted race, and bid you God-speed in your good work.
urs, most sincerely,

JAMES A. STOKES.

tor WINDOM. Here is another letter which I desire to read in
ce, from General Streight (reading):

TENED UP—AN EXPLANATION THAT HITS THE BULL'S-EYE AT EVERY SHOT—A
R THAT DOES HONOR TO ITS AUTHOR AND STRIKES HOME FOR THE OPPRESSED.

[Logansport Journal.]

llowing letter clearly and sufficiently explains itself:

ARLES KAHLS:

STEEMED FRIEND: You have my thanks for sending the Pharos of the 18th
It is surprising to see how a very ordinary transaction in our private busi-
rs can be construed by blind political partisans into a matter of great public
The truth is that I sent two colored men and their families, consisting of
elve women and children, from this city to my farm in Newton County, where
ding some farm laborers. These people had just arrived here from North
. These are the people referred to by the editor of the Pharos when he says:
to the laboring white men of Indianapolis that Colonel Streight is stocking
in Newton County with North Carolina negroes." Certainly, tell it to men
napolis, both white and black, that I sent these people to work on my farm.
tell them? I have frequently advertised for farm laborers to go to my New-
nty farm, and have sent numbers of them there, gave them remunerative em-
, and I still want more, and, so far as I know, there are no idle farm hands
n County. Yes, tell it to the people that I sent two colored men, with their
to my Newton County farm; and I will add that they are poor and destitute,
ieve honest and industrious.
riend Kahlo, while I am writing I will add that I have a very kindly feeling
poor, destitute, persecuted people, who are endeavoring to escape from a con-
orse than slavery. It will soon be sixteen years (in February next) since I
ing my way from the same country. That class of people that are now per-
the colored people was then called rebels; and those rebels had orders from
nander of the prison from which I had escaped to capture me, but not to bring
My life was at stake, but human endurance has a limit even when life is at
d this limit was reached when I was on the south bank of the Rappahannock
ar Tappahannock, after a terrible day of crossing difficult streams, marching
g from the enemy. My feet were sore; I was worn out for want of sleep and

been out all day with his master hunting for me. This man, at the risk of his life, took me into his cabin, procured and cooked a bountiful supply of food, and permitted me to rest while he joined his master the next day in a vigorous hunt for my place of concealment. Night came again, and the negroes returned to tell of what had been done, and of the fact that a certain boat, by chance, might be captured, which would enable me to cross the Rappahannock, and thus escape from my pursuers. The negroes of this plantation, at the risk of their lives, joined me in capturing the boat, and piloted me through a difficult stream to the river, and returned to their houses to join in the search for my whereabouts on the morrow. By their assistance I made my way out of the reach of the enemy, and my life was spared.

The colored people now fleeing from southern persecution are trying to escape from the same evil spirit that plunged our country into war; that starved and tortured to death over thirty thousand Union soldiers; that hunted escaping prisoners of war with blood-hounds; that since the close of the war has murdered tens of thousands of men and women for entertaining political opinions favorable to the Union; that has organized rifle clubs and ku-klux bands to whip, scourge, and murder Union people. I say that it is from this evil spirit that these poor people are trying to escape, and it was from the same demon that I made my escape; and now, remembering the fact, if any man supposes that I have no sympathy for the refugees he is not acquainted with my disposition, for I do not intend to be guilty of ingratitude.

Hoping that the time will soon come when our National Government will protect the constitutional rights of our citizens throughout the length and breadth of the land,

I remain, most truly, yours,

A. D. STREIGHT.

The CHAIRMAN (to the witness). Do you know who General Streight is?

A. No, sir.

The CHAIRMAN. I suppose, Senator Windom, you will allow it to appear as admitted that he was a Republican and a member of the State senate of Indiana?

Senator WINDOM. O, yes; and I also desire that this article in the Republican of this morning shall appear as a part of the record (reading):

COLORED EMIGRANTS IN INDIANA.

WASHINGTON, D. C., *January* 24, 1880.

To the Editor of the National Republican:

SIR: The following of a letter to a gentleman of Washington from Rev. Patterson McNutt, A. M., professor of mathematics in Asbury University, at Greencastle, Ind., will no doubt be read with interest by those who so generously contributed money, food, and clothing for the benefit of the colored emigrants from North Carolina to Indiana.

L.

"Yours containing an article from the Alexandria Gazette on 'The North Carolina negroes in Indiana,' is received. In reply I will say I know nothing, nor can I find out from others anything in regard to the case referred to of the woman who, when arriving in Indianapolis, was stationed in a church packed with emigrants of her own color from her own section, and for three weeks received only one meal a day, and that a poor one, and who says that the 'emigrants were treated like dogs;' but from what I do know personally of the treatment shown to emigrants to Putnam County, and from what reliable colored persons and others who assisted in providing for the emigrants at Indianapolis have told me, I can but think that the story of that woman must have been invented for other purposes than the good of the emigrant freedmen.

"Before receiving your letter I had been aiding, as far as I was able, in looking up homes for those unfortunate people. Since receiving yours I have taken pains to inquire of several of the emigrants in regard to their treatment since coming, as also how they are pleased with their change, and, so far, I have not found a solitary one who complains of his treatment, or who is dissatisfied with his new surroundings. On the other hand I find them, without exception, enthusiastic over their new homes and prospects. I will mention one example, from which you can judge all. I took the daughter of one of these North Carolinans to do the work in my family, and after a few days the father and mother came around to advise her, and, in conversation with these parents, I asked: 'How do you like Indiana, and how do the people treat you?'

TESTIMONY OF CHARLES N. OTEY.

RLES N. OTEY (colored) sworn and examined.

By the CHAIRMAN:

tion. Where do you reside, Mr. Otey?—Answer. 2121 Twelfth N. W.

low long have you lived in Washington?—A. I have been here eleven years.

Where did you come from when you came here?—A. I came from n, Ohio.

low long had you been in Oberlin?—A. Two years and a half.

Were you educated at Oberlin?—A. I entered the freshman class. hree months in it at Oberlin.

Where were you born?—A. Raleigh, North Carolina. I lived there was sixteen years old.

You went from there to Oberlin?—A. Yes, sir; I went from there rlin, and I came from Oberlin in November, 1869, to the Howard sity.

Were you a teacher in the Howard University?—A. Yes, sir; I awhile, educating myself the whole time I was in college.

Are you a graduate of Howard University?—A. Yes, sir.

Of what class?—A. The class of 1873, and the law class of 1876.

Are you a member of the bar in this District?—A. Yes, sir; I am ber, but I am not practicing.

What are you doing now?—A. I am teaching and editing a news- I am teaching near the Howard University, one or two squares he boundary line, in a public county school, called the Howard chool. I am also editing the Argus, which was established last nber.

s it a weekly paper?—A. Yes, sir.

To what interest is your paper devoted?—A. The interest of the l people.

You are editing a paper which is advocating the interests of the l race?—A. Yes, sir.

That is your own race, I take it?—A. Yes, sir.

rally—Christmas sometimes, and holiday vacation; and I might s that I go every year.

Q. Being an editor and a teacher, will you please state to the co mittee whether you have made something of a study the condition your people in North Carolina?—A. Yes, sir.

Q. You have been visiting in different portions of the State?—A. Ye sir. When there in the summer I have gone over some sections of th State, and particularly over this same section from which this exod takes place.

Q. Now, in your own way, I wish you would describe the general con dition of the laboring people in that part of the State, black and white and point out what distinctions, if any, are made between your people and the white people.—A. Well, sir, I last night wrote out the notes of wha I wanted to respond when called before this committee. I will therefor give you my statement from my own notes. I was one of the six o eight who first formed the national emigrant aid society. At the firs meeting I was elected vice-president, and myself alone drew up the con stitution. The object of the society, as I understood it, was to give aid to those who were fleeing from oppression.

Saint Louis was overcrowded with emigrants from the Southern States, and appeals had been made to all lovers of humanity. The object of the society was commendable, viz, to do all in its power to raise funds, either by the personal efforts of its members or by lectures and sub scriptions. All the money collected was to be forwarded to those who were fleeing from the persecution of Southern task-masters.

So far as I know, no member of the society appeared to hold any othe view until Mr. Mendenhall, at the second or perhaps the first meeting made a speech in which he suggested the advisability of diverting th emigrants from Kansas, which seemed to be the objective point of all o them, and in his speech said that it would be a good thing to send abou five thousand into Indiana as that was a doubtful State in the comin election. No one at the time objected to this suggestion save myself.

Now, while no man lives who is more devoted to the principles of th Republican party than myself, yet I was compelled to object to this us of my people.

I felt that we had been used long enough as tools. I knew that th former use of us had not redounded to our advantage. In the South, a one man, we had voted the Republican ticket, and our reward was buck shot from the ku-klux and no protection from the national governmen We had placed Mr. Hayes in the White House, and as soon as he too his seat he withdrew from us all the protection we ever had. Hence was opposed to the longer use of my people by any political party, an as soon as I saw that the exodus was to be used politically I withdre from the society.

There were others in the society who afterwards expressed the sam sentiments that I entertained, but they remained in the organization.

Captain Wall, Messrs. Holland and Adams told me repeatedly tha there was no political significance in the movement, and two of the urged me to attend the meetings, but I refused.

I was willing with money, voice, and pen to aid the oppressed, but could not sanction the movement to send men to States for political pu poses. In Kansas they might acquire homesteads; in Indiana and Oh they could not. To the first-named State they had received an invit tion, but to the two last named they had not been invited.

Of course all men have a right in this country to go where they pleas and when men know or think that they can better their condition

changing their places of residence it is their duty so to do. I am not and never was opposed to colored emigration, but I am bitterly opposed to the wholesale delusion which has been practiced upon my people. When the exodus from North Carolina began I was astonished, and being a native of the State and the editor of a colored newspaper I immediately wrote to the most prominent colored men in the State asking them to give to me the cause of this sudden uprising. I could not understand it. I was more than astonished; I was bewildered. I received answer from all of them that there was no cause for it; that the more ignorant class had been deluded by three men, named Perry, Williams, and Taylor, who by some means unknown to them had been North and returned with such glowing news that the people could not resist them. An investigation followed, and it was ascertained that these three men had been among the most ignorant class of the country people and had told them that the United States Government wanted them to go to Indiana; that the government would give them money to begin with; that they would receive $1.50 per day during the winter, and from $2.00 to $2.50 per day during the spring, summer, and fall.

Some who hesitated were told that they would receive new suits of clothes at Washington. These men registered the names of those who consented to go, and charged them from twenty-five cents to two dollars, according to their ability to pay. These men called meetings in the country churches, and, with closed doors, so the press in the eastern part of North Carolina informs us, bound those whom they had deluded to secrecy.

Of course the first batch went, having sold all their worldly goods. Being few in number they were well received and found immediate employment in some place designated by parties unknown to the deponent.

These wrote back to their friends and advised them to come, and hence it is easy to understand the great exodus in North Carolina.

I have met Perry and charged him with everything I have stated, and he did not deny a word of it. He only said in extenuation that the money charged for registering their names was for the purpose of paying his expenses to Indiana and back.

Now, it is true that many who have gone, left because of dissatisfaction. The landlord and tenant act works greatly to their detriment, as it does to poor white men, so I am informed. I have not investigated that subject.

They are also dissatisfied with that section of the new constitution which takes from them the privilege or right of voting for their county magistrates, county commissioners, and school trustees.

But so far as injustice in the courts is concerned they have no reasonable complaint. The *colored* solicitor in the district from which these people are emigrating told me not more than three weeks ago that neither the judges, the officers of the court or juries, made any distinction on account of color.

It was my pleasure to deliver the oration at the celebration of the seventeenth anniversary of the emancipation of my race, at Raleigh, on the 1st of January instant.

In that city I met people from all parts of the State. I talked freely with them in regard to the exodus, and all of them were bitterly opposed to it. Those to whom I talked were not office-holders dependent upon the support of the colored vote—for you must know that only white Republicans hold office in North Carolina—there may be here and there a spittoon-cleaner or a messenger, but nothing more, and yet they with one accord opposed this exodus.

James H. Harris, the most prominent colored man in the State, a man who only one year ago went into every nook and corner of the counties from which these people are fleeing, told me that there was not a particle of necessity for this exodus.

Osborne Hunter, jr., the editor of the Journal of Industry, who originated the idea of a colored State fair, and who made it a success unequaled by any State fair in the South, told me that he traveled over every road and by-path in that section, and he saw no occasion for it.

Hon. James E. O'Hara, who has testified before this committee, and who lives in the section from which these people come, told me in North Carolina that it was a shame. W. V. Turner, who, as editor of the North Carolina Republican, had been almost everywhere in that section, in the interest of his paper, told me that though he had lived in many sections of this country he had never seen poor people doing better.

Governor Holden, Richard Badger, Col. Ike Young, all prominent radical Republicans, say that the colored people have no such complaint as would induce a reasonable person to leave his home.

I might mention a dozen prominent colored Republicans, none of them office-holders, such as Hon. George Price, Colonel Wassom, who has lived for years in Wayne County, a county from which so many have gone, Hon. John S. Leary, Hon. George Mabson, and his brother William, of Edgecourt, and others too numerous to mention, who are bitterly opposed to this exodus. In fact, every intelligent colored and white man in the State is opposed to it. Our six colored newspapers are all fighting it. Every week's issue of these papers contains leading editorials on the subject, and I have not failed weekly to say what I thought on the subject.

With malice toward none but with charity for all, I say that the exodus from *North Carolina* is a FRAUD.

From *some* of the Southern States the exodus may be a blessing, but from the Old North State it is a *curse.* In saying this we have not in mind those intelligent men who think or know that they can better their condition. To such men we would say God speed you and bless you; but that is not the class which is leaving the State; it is that ignorant class which, after it is *used*, will ask for bread and be given a stone, beg for a fish and receive a scorpion.

I lived in the West for two years and a half, and I never saw in Raleigh, N. C., such a poor, ignorant class of colored people as I saw in Oberlin, Ohio, the paradise of colored people. There were many rich colored men there; there were colored men doing good business, but the poor people were poorer than any I ever saw in any town in North Carolina. Now, this was in their heaven. My God! what will they do in Indiana, which up to within a few years had a law on her statute books that a negro could not live in the State!

In Virginia, if a colored man marries a white woman, both are incarcerated in the penitentiary.

In Indiana, if the same deplorable event takes place, not only the couple but the officiating minister also suffers.

Now, I am opposed to the exodus from North Carolina, for the reason that there is no occasion for it.

Nine-tenths of those who have gone west could give no reason for their going, and one-tenth said that they left because they were cheated in their contracts. Is there any assurance that they will not be cheated in Indiana?

In North Carolina the most kindly relations exist between the white

lored people. At the last celebration of the day of the Emanci-
Proclamation, the whites, all of whom had owned slaves, paid
ourths of the expenses necessary for making it a success. They
ly did this in Raleigh, but in other places where the day was cele-

colored people as a mass are more intelligent than in any
State in the South. They always had more opportunities for ac-
g an education. There are at least five schools in the State where
an get a scholastic education, and almost every town has a graded

y have what no other State in the South possesses—an asylum
e deaf, dumb and blind. A Democratic legislature has appropri-
ioney for the erection of an insane asylum; at present the colored
are in the white asylum, than which there is no finer in this
y.

free schools are open for all, and colored teachers are always
yed in preference to whites.

re are numbers of colored lawyers who have made a name at the
doctors who have successful practice; farmers who own their
and carry their own cotton to market. Why, Raleigh, a city of
13,000 inhabitants, half whose population is colored, has grown
the past five years to such extent that I could scarcely recognize
tive city. There are more colored people who own their own
than there are in the city of Washington. Their beautiful cot-
are to be seen everywhere.

I beheld this sight I said to myself, why does not the emigration
at Washington?

ne word I say that the cause of the exodus from North Carolina
found in the purses of the men who furnished Perry and Will-
rith the means.

y opinion, the time will come when those who have *encouraged*
ovement will repent in sackcloth and ashes.

y humble judgment, in December, 1880, many colored men who
w feasting on the lamb in Indiana will be begging for money to
eir way back to old North Carolina.

I in connection with that, Mr. Chairman, I have two papers which
een sent to me, and from which I desire to read some. These are
ons which were asked by the editor of the People's Advocate.

By Mr. WINDOM:

What paper is that you read from?—A. The Journal of Industry,
hed in Raleigh. It is a paper published by colored people; and
is is what the editor of the People's Advocate published here
id in his paper:

[Journal of Industry, Raleigh, January 17, 1880.]

THE EXODUS.

People's Advocate says:

withstanding the protests made in the United States Senate and by some of the
this city and North Carolina, one hundred and seventeen colored emigrants
ldsborough, N. C., passed through here Tuesday, *en route* to Indianapolis. It is a
y that 'these shiftless people' are thus 'duped to leave their homes for the inhos-
West.' Just wait until the proposed conference of colored men takes place;
will stop; won't it, Brother Hunter?"

his Mr. Hunter, the editor of the Journal, who has traveled over

every section of that country in the interest of his paper, as Mr. O'Hara knows, replies as follows:

In reply to our confrere's interrogatory, we will state, that so far as the ability of "the proposed conference" to stay the tide of emigration is concerned, we know nothing.

Having frankly answered his question, we respectfully ask of him a reply to the following, he being an advocate of the movement, and is, or should be, thoroughly acquainted with all the facts connected with it: If any of our mechanics desire to emigrate to Indiana they can find plenty of employment on the same building or in the same workshop with white men, as they can do here; can't they, Brother Cromwell? Or if any of our farmers desire to go, they can become "monarch of all they survey" on as easy terms as they can and do here? Or if any of our teachers desire to go, they can find as many schools to teach and as good salaries, ranging from twenty to one hundred dollars per month, as they can and do here? Or if any of our lawyers desire to go, they can find plenty of clients, as they can and do here? Or if any of our doctors desire to go they can find as lucrative a practice as they can and do here? And last, but not least, if any of our politicians desire to go, they can find their way to the legislature and halls of Congress as easily as they can and do here? If the colored people are once convinced that these things can be done as easily in Indiana as they can and are being done here they will emigrate *en masse;* but if the movement is to be narrowed down to the idea that "I take the turkey and you take the buzzard, or you take the buzzard and I take the turkey," it will continue to meet the opposition of the more intelligent colored people; "won't it, Brother" Cromwell?

In the same connection, I read a portion of a speech delivered by James H. Harris, the editor of the North Carolina Republican, prefacing it by saying that there is a good deal in this which I do not agree with, but in the main points, as they relate to this exodus, I agree with him fully:

HON. JAMES H. HARRIS ON THE EXODUS.

The conference of colored men held in this city last week sat in extra session on Thursday evening to consider the exodus movement. After the meeting was called to order, Col. George T. Wassom arose and moved that the chairman, Hon. James H. Harris, be invited to address the conference on the grave and momentous subject which they had met to discuss, and in relation to which it was highly necessary to take wise and timely action. The motion was seconed, and prevailed. Mr. Harris was then brought forward, though somewhat reluctlantly on his part, and proceeded to deliver a powerful and convincing speech in opposition to the emigration of the colored people from North Carolina at this time, and particularly under the auspices of those who are controlling the present exodus movement. He did not, he said, wish to be personal in his allusions, nor would he be, further than was necessary in order to expose the dishonesty and wickedness at the bottom of this whole exodus business. There are in and about Washington City a class of colored men who may be very appropriately described as political deadbeats and paupers. Those men are the self-styled and self-appointed leaders of their race, and with unblushing effrontery assume it as their peculiar prerogative to represent the colored people of the whole South. These are the unprincipled impostors who, with lies on their tongues and base deception in their hearts, beguiled Senator Windom into offering a bill in the Senate to set apart a definite portion of national territory for the colonization of the Southern negroes. Then they went forward and organized a colonization society, and scoured the North, through their agents, to collect money, professedly for the purpose of aiding the poor, unfortunate negro to escape from the intolerable oppression of his Southern home. The money raised for this philanthropic object, however, reached their own pockets and stuck there. Professors Greener, Green, and one Wall, with their coadjutors in Washington, are the original promoters of the exodus movement, and on them our righteous indignation and censure should be unsparingly poured. Through their machinations and misrepresentations the seeds of restlessness and discontent have been sowed among our people, and the exodus is the fruit. These self-constituted negro leaders, knowing as little about the real condition of the colored masses as a Hindoo knows of the social status of Europe, have from the first ignored the representative colored men of the South, and acted with a contemptuous disregard of their views and opinions. They apparently take it for granted that we are all an ignorant and credulous set of fools together, and can be herded and tolled like a drove of cattle whenever they, in their superior wisdom, shall deem us fit instruments to serve their individual ends and interests. Like the debauched libertine and traitor, Cataline, they have gone

systematically to work, and plotted against their race and the good of their country by seeking to entice from this Southern portion of the United States its colored population, merely to replenish their depleted purses, and to gain a doubtful prominence before the public. We spurn these men with their impudent and insulting pretensions. We denounce them as the enemies of their people, and warn colored men throughout the South against their baseness and falsehoods. We want no intermeddling from such a source in their affairs. We are competent to take care of ourselves. Whenever our condition shall become so hard as to be intolerable; whenever we shall become persuaded of the inexpediency and impossibility of our remaining longer among the Southern whites as free and recognized citizens, we will judge and act for ourselves, and take charge of our own exodus. We say to Professors Greener, Green, Wall, and to all others engaged in the nefarious work of deluding the negro by misrepresentation and falsehood—stop; hands off; let us alone. We indignantly resent your impertient interference in our affairs, and ask that you will allow us to manage for ourselves in our own way. You do not represent us, you have no constituency, you have nothing but impudence, cheek, and cunning, and an inordinate greed for filthy lucre, for which you would wickedly mislead and basely sell us into the hands of the Philistines. But we will none of you. It is war to the knife between you and us, and we will not sheath our blade until we have forced you down and out from the position which you have usurped, and to which you have not the shadow of a claim, and until we have exposed you to your race and to the country as the conspirators and swindlers that you are.

We readily concede the right of the colored people or of any people to migrate at any time from one portion of the United States to another. This is a free country, and the privilege of locomotion from and to any point within the bounds of the Republic may be exercised by our citizens at their option. We are opposed to the exodus from this State, not that any colored man in North Carolina has not the sole and exclusive right to decide for himself in all matters concerning his welfare, to select his own home and settle in any tquarter of this broad land, but we oppose it, we earnestly advise against it, because nhose who have become imbued with the spirit of emigration are deluded. They know ot what they do. They are acting upon a sudden impulse created by lying and coundrelly agents, who have been, and are now, among them. It cannot be denied that we have grievances here in North Carolina, the best of the Southern States, which justify no little discontent and serious complaint.

The people have been arbitrarily deprived in part of their sovereignty. An unscrupulous party, in order to entrench itself the more securely in power, has, through its legislature, enacted odious laws and followed a line of policy destructive of our long-established and cherished forms of popular government. Our county commissioners, our magistrates, and school committeemen are no longer elective by the people, and whatever may be the choice of the latter, they are not permitted to select and vote for those whom they would have represent and serve them in these several capacities. These are wrongs which ought not to be borne by a free and liberty-loving people; nor will we bear them. Yet, we will not flee the State to escape these wrongs. We will remain here and have them redressed. The honest and patriotic sentiment of the State, irrespective of race, is opposed to the outrages of the Democratic party, and there is a strong, determined, and confident spirit abroad among us which will make itself felt at the ballot-box, and which promises our deliverance from Democratic rule and tyranny. While it is very natural that the colored people in the eastern counties, who have until recently chosen all their local officers, should chafe under the changed condition of things, it is one of the wildest and most impolitic schemes for them to abandon their homes and emigrate *en masse* to Indiana as their temple of refuge.

Said the speaker: "I know something of Indiana. I lived there two years. I have traveled from one end of the State to the other, and I am prepared to say, in all candor and sincerity, that scarcely a comparison can be made between Indiana and North Carolina that is not in favor of the latter. Our climate is more genial and healthful. Our soil can be made equally as fertile, and is adapted to a far greater variety of products; while land, which in Indiana is $60 per acre and upwards, here in North Carolina is $5 per acre and upwards; in every way as desirable, and in some respects more so. Wages may be higher there than here, but in the same proportion the cost of living is higher. In that State of higher latitude the winters are rigorous, and from four to six months in duration, during which time labor is generally unemployed in the rural sections, and wages are at a minimum. Here in North Carolina we enjoy, as it were, perpetual summer; employment can be obtained the year round, and no one need suffer for the necessities of life. Who can hesitate in choosing between these two States, and unalterably deciding in favor of his own upon learning that there are more beggars in two cities of Indiana—Indianapolis and Terre Haute—than can be found in the whole State of North Carolina?

"The colored people are far more prosperous here than they are or are likely to become there. Here they are better treated, experience greater kindness at the hands of the whites, enjoy more impartial educational facilities, and, which is more than can be claimed for Indiana or any other State, have charitable institutions for the un-

fortunate of their race, established and supported on an equal footing with similar institutions for the whites. In the face of these facts, to which others too numerous to mention might be added, what intelligent colored North Carolinian can longer contemplate joining the ill-advised and pernicious exodus movement? What the people need is information, and that information the plain and unvarnished truth. They are being imposed upon and misled. It is the imperative duty of prominent and representative colored men everywhere through the State to post themselves thoroughly by reading, by correspondence, and reflection, and seek by argument, exhortation, and entreaty to stay the impetuous tide of emigration, which threatens misfortune, suffering, and ruin to the hundreds whom it is sweeping along, almost weekly, in its fatal course."

Mr. Harris's speech was very elaborate, and the above is only a synopsis. It was well received, and created great enthusiasm.

By Senator WINDOM:

Q. What conference was this which Mr. Harris refers to?—A. The conference held in North Carolina, in Raleigh, on the 15th of this month.

By Senator BLAIR:

Q. For what purpope?—A. To consider this exodus.

Q. You say you approve of some of the things stated by Mr. Harris, and some you do not?—A. Yes, sir.

Q. You approve of all that he says about the condition of the colored people and the folly of the exodus?—A. Yes, sir; I approve of this. There are a good many things in here that I do not approve of, but they are things like this, for instance, that he refers to Captain Wall, that I do not approve of.

Q. Do you approve of what he says in regard to the loss of their right of suffrage under the Democratic party?—A. Yes, sir; I approve of that, with reference to that particular point, the election of magistrates.

By the CHAIRMAN:

Q. You are and have always been considered as a straight-out Republican, have you not?—A. I was always a radical Republican and am now.

Q. And you do not consider it necessary to approve of this exodus in order to maintain your standing in the party?—A. No, sir; because I oppose it they call me a Democrat. If I approve it in Louisiana and Mississippi then I am all right, and as I oppose this from North Carolina, my own State, knowing that there is no necessity for it, of course I am a Democrat.

Q. As I understand you, there are some things, you say, to criticize in North Carolina?—A. Yes, sir.

Q. Do you know of any political commonwealth on the face of the globe where the same thing is not true?—A. I do not.

Q. Do you think, despite the truth of these things, that it is better for the colored people to remain there in North Carolina than to go to Indiana or elsewhere?—A. I think it is better for them to stop there. I think North Carolina is a Republican State, and since Governor Vance has come up here to the Senate I do not think there is any man in the borders of that State that can carry it against the Republican party or against Sam Phillips, who is its best representative.

Q. You think Governor Vance is a strong man, then?—A. Yes, sir; he is the strongest man in the State.

Q. And Mr. Phillips is the strongest man with the Republicans?—A. Yes, sir; he is the strongest man with the Republicans.

Q. What is the secret of Governor Vance's strength?—A. Governor Vance has treated the colored people better than any man who was

er Governor of the State. He gave them their normal school. I ıow that when on the stump he told them not to vote for him, as he as a Democrat of the very worst sort, and two days after he was elec-ıd he made a speech and promised them their school, and in a few ıonths afterwards they had it. He can carry the State against any-ody down there, Democrat or Republican, and I do not think anybody lse can carry it Democratic, now that he is here in the Senate.

Q. You think you have enough votes in the Republican party to carry he State down there?—A. We have more white and colored Republi-ans there than there are in any other State South; we have 80,000 of hem.

Q. The composition of the Republican party is largely colored?—A. Yes, sir.

Q. And they dictate the policy of the Republican party?—A. Yes, ir.

Q. And the Republican party, you think, being in perhaps a majority, will be strong enough to enforce a liberal policy towards the colored people?—A. Yes, sir.

Q. Now, beyond that—of course I am a Democrat and I expect you o speak from your own standpoint as a Republican—but I ask you to ake Governor Vance; has he not a following in his party favorable to he colored people, and to giving them a fair chance with the white peo-ple?—A. Yes, sir; or else he would not have given us the normal school. We also have an asylum for the deaf and dumb; it is not as large as he white asylum, but it is just as fine, and that was given to us by Gov-ernor Vance.

Q. You edit a paper and take all the colored papers from all parts of the United States, do you not? Do you know of any other State that does as much for the colored people?—A. I do not know of all that has been done by the States, but there is a school in Missouri at Lincoln Institute, and that I believe is the only one outside of North Carolina that I know of, provided by a Democratic legislature.

Q. Isn't it true that they have not such a school in Indiana?—A. Not that I know of; and that is given by a Democratic legislature.

Q. That school in North Carolina was given by a Democratic legisla-ture?—A. Yes, sir.

Q. And by and through the advice of a Democratic governor?—A. And the insane asylum was built, I think, since Governor Vance was elected.

Q. That was done by a Democratic legislature?—A. Yes, sir.

Q. And there is a provision made now to build a second insane asy-um?—A. Yes, sir; down at Goldsboro'.

Q. It is in process of erection?—A. Yes, sir; I think it is.

Q. The United States Government does not give the colored people a eparate insane asylum here, does it?—A. No, sir.

Q. You say that you have a deaf and dumb asylum in the course of peration there?—A. Yes, sir; it is as fine a building as there is in the nited States, and the children and teachers are all there and doing ell.

Q. What party gave that to the colored people?—A. The Democratic gislature.

Q. And taking all that into consideration, you think it would be tter for the colored people to stay in North Carolina than to go to diana?—A. Yes, sir; that is what I thought, and that is the reason pposed their going to Indiana.

On motion the committee adjourned to Friday, January 30, 1880, at lf past ten o'clock a. m.

SIXTH DAY.

WASHINGTON, *Friday, January* 30, 18

The committee met, pursuant to its order of adjournment, at 10.30
Present, the chairman and all the members of the committee.
The taking of testimony was resumed as follows:

TESTIMONY OF CHARLES N. OTEY.

CHARLES N. OTEY (colored) recalled.

By Senator VOORHEES:

Q. Before passing you, Mr. Otey, over to Mr. Blair for the pu of cross-examination, if there is anything that has occurred to you your examination in chief which you desire to offer in explanati your testimony, you have the opportunity now to do so.—A. Yes I do desire to make an explanation. I read from the National Re can of Wednesday morning, January 28, 1880; it is an editorial; very lengthy one and I read only that part that refers to me an testimony.

"We notice that a colored citizen named Otie"—

Now, this man who wrote this article knows me as well as any in this room, as well as I know myself or anybody else, and y spells my name wrong, "Otie"; he knows my name, for I have w over fifty articles for that newspaper—

We notice that a colored citizen named Otie has given evidence which has ma Democrats somewhat hilarious, but when Senator Blair shall have got throug shaking his testimony up and cleaning the wheat of truth from the chaff of no and folly with which it is mixed, the yield of wheat will be too insignificant worthy of consideration. Mr. Otie may be a very good-intentioned sort of pers his testimony, so far as it has come to our notice, appears to be of the hack an order, which is marketable at cheap rates. He undoubtedly intended to tell the the whole truth, and nothing but the truth, but the reason given for changing p on the exodus is a little too thin to bear with much weight upon the questi looks as if it had been made to order, and he had undertaken to peddle it Democratic delectation. We may refer to this again when his wire is fully ru the reel and Senator Blair shall have got through with straightening out his en ments under a close and rigid cross-examination.

I desire to answer that, for I prefer not to be misrepresented, a I answer it from my notes:

The National Republican intimates that I was coached for the sion when I testified before this committee. In answer to that, under oath that I have not talked with a Democrat either on polit the exodus since the summer of 1872.

The same paper intimates that I was bought up. In answer to I will say that there is not enough money in the United States T ury to buy me. I know that Republicans very frequently sell out I doubt not that the editor of the Republican was honest and n no harm when he intimated that I had engaged in a business so mon.

The difference between my Republicanism and his is this, vi has been well paid for all the service he has rendered the party, w have never made one cent out of politics, though I have worked for the party all my life.

I have never asked for governmental position and never held or

I have great respect for Mr. Clapp, and will do him the justice t that had he known me better he would have insinuated less.

His assistant, Col. E. P. Brooks, knows well that no more radical arti-
s were ever written for his paper than those I have written.
I have never wavered in my devotion to the principles of the Repub-
an party, but I love my race more than I do party. I have no objec-
on to Indiana going Republican in the coming election. I wish that
l the States in the Union would go that way.
I object to deluding the ignorant people of my race. I object to the
rrying them in the midst of the winter like so many hogs or sheep to
State that I have always considered the worst in the Union for col-
ed people.
Why, in the days of slavery there was a law on the statute-books of
at State that forbade the entrance of a negro within its sacred pre-
incts, and I believe that so far as action by the legislature is con-
erned the law has never been repealed.
Within the past two years a negro outraged a white prostitute in
ome town in that State, and the whole white population arose as one
an and drove from the town every colored person that lived in it.
overnor Williams had to call out the militia to put a stop to the whole-
ale persecution of my race. This information I got from the news-
apers of both political parties.
It may be well and good for men who make their living out of the
arty, to abuse me because of my opposition to the use of my race. I
m a Republican because I believe in the principles of the party. I am
pposed to the exodus fróm North Carolina because I am a negro.
The National Republican also says that there was much nonsense in
ny testimony. I ask this committee to summon from the old North
State J. H. Harris, Osborne Hunter, jr., B. J. Edwards, W. V. Turner,
nd Stewart Ellison, of Raleigh, N. C.; Col. J. T. Wasson, of Golds-
orough; George Price, jr., of Wilmington; also, Col. George Mabson, of
the same city; William Mabson, of Tarborough—all radical colored Re-
publicans—and if they do not corroborate every word I have said, then,
with Jim Anderson, I am willing to go down in history as the greatest
liar of the age.
I almost forgot to state that I did hold an office in North Carolina for
two years, during which time I was teaching school and studying law
here in Washington. It was not the office of Government Printer; nei-
ther was it any other sinecure. I was, in 1873, elected, while on a visit
to my native city, school trustee for the township of Raleigh—that was
only a fiduciary trust. I wish that all men would act as honestly as I
did during those two years. I never saw a dollar, for there was no dol-
lar to be seen. I appointed all the colored teachers, and they taught
faithfully, knowing that when old Wake was able they would be paid.
They were paid, but I was in Washington and could not get a percent-
age. I did, though, receive a good deal of abuse; for, *unwittingly*, in my
appointments, I appointed no denomination but Methodists and Episco-
palians. Now, I was a Methodist, and my oldest brother's wife was a
member of the Episcopal church, and, consequently, all the other de-
nominations spared me not for two years.
Now, God knows that I made the appointments solely on account of
the merit of the applicants, as shown by the certificates presented to me
by the examiner. I have never desired a public office since.
Mr. Clapp seems angry because, as he says, the Democrats were hila-
ious over my testimony.
Now, I cannot help that. If the truth makes a man happy, I think
hat the one who told it ought to be honored, not vilified.
In the last part of his editorial he seems to threaten me. That has

been tried on me before and would not take. Let me say to him that I am as honest as he and as good a Republican as he, *without expectation of reward.* He knows about as much of the condition of the colored people in North Carolina as he does about the pearly gates of the New Jerusalem.

Here before this committee he testified that he knew but little about the exodus, having only acted as treasurer. I believe every word that he said, because I believe him to be an honest and truthful man.

Why should he question me—a man identified with the race, most interested in this exodus? Three years ago, as associate editor of the People's Advocate, I wrote and published there editorials in opposition to the Western emigration from the South of the people of my race. I did this at a time when there was no stampede—when there was no excitement and no exodus. Outside of my duties, I study nothing but the interests of my race, and I think that I ought to be allowed to express my views without being abused by anybody.

Are colored men to be denied a privilege which all other races enjoy? I consider that man a scoundrel or a fool who willfully traduces another because of the honest expression of his opinions.

Free speech is guaranteed by the Constitution of the United States, and by the help of God I intend to take advantage of that amendment so long as I live. From the beginning I have opposed the exodus from my native State. I have had no selfish motives, for the people who have gone West went not from the section in which I live or expect to live. I have consistently opposed it for what I consider the good of my race and my party.

If this be Democracy then let my enemies make the most of it.

I also desire, in talking about what my testimony is based upon, to read an article published December 9, 1879, in the Raleigh Republican, taken from the Roanoke News:

ENFIELD, N. C., *Dec.* 15, 1879.

Editor Roanoke News:

SIR: In your issue of the 11th inst. I find the following paragraph: "According to James E. O'Hara's speech at the industrial fair recently held at Raleigh, the colored people in Halifax County own thirteen thousand acres of land, &c."

Many persons question the assertion, and regard it as a mere ipse dixit of mine, upon which it would be, to say the least, a great presumption to give credence.

Not desiring to startle those who can see no good in the colored man, nor make the credulous uneasy, I told only of part of the colored man's acquisition in this and adjoining counties, but now refer you to the list of the county for the year 1878, where you will find the fact by townships to be as follows:

	Acres
Brinkleyville township	2,609
Butterwood township	22
Caledonia township	1,186
Conocanarie township	628
Enfield township	2,006
Fancetts township	216
Halifax township	3,458
Littleton township	2,479
Roseneath township	
Palmyra township	2,228
Weldon township	769
Total	16,601

Nor is this the full amount with which the colored man is entitled to be accredited, because, after a person arrives beyond the age to pay a poll tax, there are no means by which you can tell from the tax list to which race he belongs, thus in collecting the fact we are obliged to take those only who are not above the poll-tax age (fifty years), unless it be those personally known to be colored, and my memory of names being quite deficient, but a few are added to those listing a poll.

above does not include the many acre and half-acre lots owned by colored people
suburbs of Enfield, Halifax, Scotland, Neck, and Weldon, nor does it include
own lots in Enfield, with substantial, comfortable houses erected thereon, sur-
d by gardens showing taste and some culture, and a decided air of health and
tment. Thirteen town lots in Halifax and at least twelve in Weldon, valued in
gregate thousands of dollars.
le speaking of Enfield it is but just that I should state that the greater portion
e owning lots with comfortable houses within the corporate limits are indebted
kindness of James H. Parker, esq., who, after selling them lots, provided work
y they might, in an easy manner, procure and pay for their homes.
ng his many kind and good deeds, silently yet timely administered to the
l people, none, I dare say, can give him more real pleasure than the conscious-
knowing that, through his kindness, many worthy merchants are now able to
nd their own fireside, and for his acts of kindness he has the love and respect
colored people that know him.
colored people in acquiring land are not contented at this alone, and a day's
nong these people in the country would satisfy the most skeptical that their
are in a good state of cultivation, well stocked with horses, mules, cattle, and
dern implements of agriculture, and the exhibition at the industrial fair has
taught many that not only in agriculture and mechanics, but also in the fine
e negro's sun in North Carolina is above the horizon and steadily advancing,
ess of dark clouds and rude storms, to a splendid meridian.
hat was said of the counties of Nash, Warren, and those adjacent, in the ad-
ill easily be verified in the same manner as the assertion about the lands owned
ounty of Halifax.
ret that newspapers often speak of the colored people as "a shiftless, improvi-
ass of our population," when the above showing has no parallel in history,
o the further fact (painful though the admission may be to our white friends)
e colored people of the State are far "ahead in the acquisition of property,
dge, and culture of that class known as poor whites" in ante-bellum days; and
idle boast when we say to our white brethren, look well to your laurels or
oasted superiority backed by two thousand years of advantage, may vanish
mist before a bright summer's sun ere this people shall celebrate its centen-
bilee of liberty. Regardless of Emigration Aid Society, Kansas Pacific Rail-
ents, county boards of canvassers, who subvert the will of the people and send
eated candidate to the national legislature, while they strain at a gnat and
a camel; the bulk of the colored people will remain in North Carolina, shar-
ommon with other citizens her weal or her woe, building up her waste places
sisting her to take that rank among her sister States of the American Union
e is eminently deserving to take.
ght glance backward at the past decade will show even to the most casual ob-
that the negro in North Carolina and the majority of the Southern States will
e to compete in the race of life with the sturdy son of Erin's isle, the keen-
Scotchman, the money-saving German, nor in fact any of the European emi-
annually thronging our shores, for before the pleasant "Westward ho" shall
st talismanic sweetness to the ear and heart of the foreign emigrant, our waste
shall have been built up, and hill and dale smile as they acknowledge and pay
to the colored man's ownership. Another fact in this connection worthy of
is, that not even with the heirs to ancestral estates will the colored
ong have to contend for its ownership or fight in his efforts to acquire
o broad acres or fertile fields, for it cannot be denied that a majority
r white young men flee the farm as though pestilence and death held
arnival there; and, whether obtained by device, gift, or marriage, farms are
deserted, their young owners acting in many instances as though they felt it
nonorable to be allowed to say small nothings to or smile at the belles of fashion
ehind a yard-stick, at a certain monthly stipend, or more profitable to deal out
poison to the thoughtless and unwary, than to be an independent farmer or me-
, while hundreds seek professions and occupations leading to fortune and fame,
ever reaching the goal, and lands thus abandoned must in the very nature of
fall in the possession of the colored man, who is desirous of obtaining it when
lesire is coupled with the means or other ability to pay for it.
l yet another cause why the colored man will remain here and increase in wealth
sist in building up the State as he builds himself up: In Eastern North Carolina
ost valuable and productive lands are the swamp lands and river bottoms, which
operly drain and ditch would impoverish their present owners, who must either
them to lie waste, taxed without yielding profit, or sell them on easy terms to
olored man, who alone is not afraid of their miasmatic influence, and who, by his
brain and sinew, will ditch, drain, cultivate, and cause the same, now useless, but
le, land, after a few years, to smile beneath a golden harvest.
face of the foregoing facts we must weld and strengthen the bond of sym-

pathy and kindness now existing between the white and colored people, and if possible make it firmer and more durable. A higher respect by both must be given to every bargain and agreement made, contract must be faithfully executed by both parties, an earnest effort by all to make each other feel and realize that fact that we are, by no act of our own, but by the decree of God himself, destined to inhabit together, whether for good or evil, this fair land, and that whether it be good or ill we, and we only, are the makers thereof.

Those who have accustomed themselves to look at the negro only from the dark side of the picture, often say, "If the negro would only stop stealing I would tolerate him better," meaning by this pseudo sympathy not an individual, but the race. I will say, that while I neither excuse, justify, nor apologize for the colored man who steals or commits crime, you cannot judge the entire race by these few, nor can you hold the race responsible. Can you judge the entire race of Jews by a Fagan or Shylock? Certainly not. Do you judge the white race by its Tweeds, its bank robbers, its defaulting presidents, treasurers, cashiers, its midnight burglars, and myriads of thieves and rogues? Certainly not. Then justice demands the same measurement and judgment for the colored race; nothing more nor nothing less.

With all the parade and obloquy cast upon crimes committed by the colored people in this and adjoining counties, I venture the assertion that there is no place in the American Union, or elsewhere, where high crimes are less, in accordance with the population, than in Eastern North Carolina.

To the colored people I will say you have done well in the past ten years, but you can and must do better in the future. March manfully up the path of duty until you reach the zenith; work hard and untiring; hold and save for old age all you acquire by honest toil; educate your children; improve the morals of your societies; shun grog-shops; and by the aid of God, who has helped us thus far, nothing can prevent us from enjoying a bright and prosperous future.

JAS. E. O'HARA.

By the CHAIRMAN

Q. Have you entertained other views than these?—A. I have not.

Q. You have always expressed the same sentiments with reference to the exodus movement?—A. Yes, sir. I went into the Emigrant Aid Society, as I thought, to aid those people who were fleeing from persecution in the South, and I said I would go into it for no other purpose.

Q. Have you any views of your own, expressed at any other time, which you desire to put into the record?—A. I have an article which I published, and which was republished in every part of North Carolina.

Senator VANCE. I think it would be fair to the witness if he would just say that he has held the same views all the time, and that on other dates previous to this he had written certain articles expressing those views, and giving the dates.

The WITNESS. This article was written before there was any movement made to investigate the exodus movement, December 13, 1879. I wrote it myself, and it is headed "A Great Shame." It was at the time some of these men came to this city for the first time. I did not consult anybody about it, but I wrote the article of my own volition; and while I think a great deal of Mr. Wall and these other gentlemen personally I cannot agree with them about this movement.

By Mr. WINDOM:

Q. Are we to understand, Mr. Otey, that all that you have stated and read here is sworn to by you?—A. Yes, sir.

Q. You make these extracts and all a part of your oath. Before I come to the papers you have quoted I want to ask you a few general questions. How long have you lived in North Carolina?—A. I lived there until I was 16 or 17 years old.

Q. When did you leave there?—A. In 1867 I left there—in August I was born in 1851.

Q. Where did you go from there?—A. To Oberlin, Ohio, and staid there until 1869. I entered a class there and staid in it three months.

Q. When have you been back to North Carolina?—A. Sometimes

· in vacation; sometimes every two years in vacations, and in
which would make it average every year. I generally go in
nd stay through the summer, and then go back at Christmas.
en were you there last?—A. The 31st of last December.
whose invitation did you go?—A. By the invitation of the
ople of the county of Wake to deliver the address on the day
ebration of the emancipation proclamation.
at was the subject of your address?—A. What the colored
ad already achieved and what they ought to do for further

s the exodus the subject of it?—A. No, sir; I spoke not a half
i it.
i said you were invited by the whole people of the county;
mean by it?—A. I mean that the colored people who came to
·house to a meeting elected me unanimously as the orator of

they pay your expenses there?—A. No, sir; I paid my own.
you say anything in your address to discourage the exodus?
sir.
l you any letter from anybody on that subject?—A. No. sir.
hing of that kind was embodied in your address?—A. No,
s was the third time I had spoken there on a similar occasion,
e I was there I spoke to parties all the way through the State
y part of it, not on this subject particularly.
at you said on the subject of the exodus, I suppose, you wrote
got there?—A. Yes, sir; that morning before I made my ad-

you oppose the exodus from North Carolina?—A. Yes, sir.
you favor it from elsewhere?—A. Yes, sir; wherever they are
l.
you know that it is a very insignificant affair in North Carolina
red with what it is from other States?—A. No, sir. I know it
topped there yet.
ing it up to the present time, how many do you think have
n North Carolina?—A. Well, sir, I think 3,000 people are a
·ge number to pick up and leave a State without cause.
you know that 3,000 have gone?—A. Somebody said so here
day, that there had been 2,500 or 3,000.
you know that Captain Wall said afterwards that he did not
t that was true?—A. Yes, sir; but that went into the news-
s the substance of his testimony.
you hear the railroad agent testify as to the number who
e from North Carolina?—A. I heard him testify when he said
take as many as wanted to go to Indiana, and then would go
and bring them back again.
l you read his statement in which he said there were not 200
had gone?—A. No, sir.
l you hear him say he had sold all the tickets, and that the
mber would not exceed 764 men, women, and children; and
ss-examined he said 200 would cover the entire number of men
gone?—A. No, sir.
ere did you get your information that 3,000 had gone?—A.
at Captain Wall said. I did not hear all of his statement, and I
t it from what I saw in the newspapers.
ll, from what this railroad agent said, do you think it is a

startling political movement?—A. I have not given my opinion as t that.

Q. Now, you say it is a great political movement, and that that f drove you out of the Emigrant Aid Society; now, this agent has testifie that he sold all the tickets, and that there are not 200 men who hav gone to Indiana, do you think that a very startling political matter?— A. No; I do not think so.

Q. Do not you think thus far it is very insignificant as compared wit the movement from other States of the South, Mississippi and Louisiana, for instance?—A. Yes, sir.

Q. Do you know that these colored people are not oppressed in North Carolina?—A. I know they are not, and if I had the money I would g down there into every city and township and advise them not to leav North Carolina.

Q. You stated in your testimony "that it cannot be denied that w have grievances"; if that is true, what are they?—A. Well, perhaps thi landlord and tenant act is one of the grievances. I do not know t what extent it might become such, for I have not examined it, but th colored people think it bears hard on them in some respects; and imme diately after Governor Vance was elected the constitution was change so as to give the legislature the right to appoint the magistrates in al the counties; and here, in a county where there are 1,200 or 1,500 Re publican majority, all the courts are in the hands of the Democrat The legislature, being Democratic, appointed Democratic magistrates i those counties, and they appoint county commissioners, and they selec the school commissioners in all the townships. The colored peopl having had the right before that of electing their magistrates, fel aggrieved at this change. The colored people, having had and ex ercised the right of suffrage for only a few years, felt aggrieved a having it taken away. I have talked with them about it, and tha is their feeling. Now, a question was brought up here the other da about the defeat of Mr. O'Hara for Congress and about votes bein thrown out; but, as I understand it, in most of the counties where tha was done, it was done by these Republican supervisors.

Q. Are these the only grievances you have heard of?—A. No, sir; have met several men, some of them very intelligent colored men, i Captain Wall's office, who said they were cheated in their bargain One of them said he had bought a farm and agreed to pay $2,000 for i and after paying $1,800 on it, he found that it did not belong to th man from whom he had bought it. I told him he ought to have gon to the court of record and learned the facts, but that I thought he wa more likely to be cheated in Indiana than he was in North Carolina.

Q. You seem to have a poor opinion of Indiana?—A. Yes, sir.

Q. If these people do go to the Western States, where would you a vise them to go?—A. Where they can get lands from the governmen at $1.25 an acre, and where they can live in peace and comfort on the own property. If they could be directed to some such place as that, would work for it myself.

Q. Well, from your opinion of Indiana, I am afraid you think it is poor State, and your testimony would destroy the white emigration?— A. No, sir; I hardly think it will. The colored people, you know, ca not compete with the Germans and Irish as laborers.

Q. Did you know of any discriminations in the administration of ju tice in the courts?—A. No, sir.

Q. Did you ever hear of any?—A. No, sir.

Q. Did you ever hear of a case in Greensborough where a colore

What year was that?—A. I do not remember, sir, now.

By Senator VANCE:

Who was governor at that time?—A. I think Governor Vance, tor. I say they whipped a white man so they could get a chance hip about five hundred negroes. They whipped many of them wards.

By Senator WINDOM:

You think they took up and whipped a white man so as to justify hipping of about 500 negroes?—A. I think so.

Do you think a State where they whip one white man so as to get xcuse to whip 500 negroes is a good place for a colored man to live -A. No, sir, I do not; but that was at another time. The State nder martial law, and Colonel Mumford was there. He came out the troops, and demanded the stopping of this whipping. I said had been doing it for some time, and he wanted an end put to it. e Fowl was judge of the court at that time, and that was in 1865, nk.

Do you think that Republicans take delight in the whipping of ed people?—A. No, sir; I do not say that.

I read another statement here from a North Carolina paper again. he fall term of 1879 of the circuit superior court a colored man d Crutchfield was put on trial for stealing an old spade. The evie was of such a character that the judge charged the jury in favor e prisoner, but in defiance of the charge they brought in a verdict uilty. The judge, who was anxious to be the Democratic candidate overnor, though he had charged the jury in favor of the prisoner, ot hesitate a moment to sentence him to the penitentiary for two s. Did you ever hear of that?—A. No, sir; I never heard of that.

You never heard of any of this sort of thing, and yet I have a e number of them cited here?—A. No, sir; but I will say that I he colored men who are in the penitentiary are treated the same as white men. I say for some classes of crimes they are all convicted the same. Up North they do not send people to the penitentiary petit larceny, but they do down there. I believe myself, as a Re-

place for the colored man to live?—A. Yes, sir; they make no discrimination in the execution of them.

Q. Does it indicate a very kindly feeling and treatment on the part of the whites towards the colored people?—A. Well, Senator, I say again that I never saw such kindly treatment accorded by white people to black people as is the case in North Carolina. I will bring you up a reminiscence to show you. When Fort Fisher was captured, I went to take a dispatch to Governor Vance. I was a telegraph messenger. I carried the dispatch to his house from general somebody, and when I got to the house it was about twelve o'clock at night. I went into the house and gave the governor the dispatch. I was a pretty sassy boy about that time, and he said for me to wait for the dispatch in reply. I said I was sleepy and wasn't going to do it. He told me to wait, and took me into his room and got a pillow and put me to sleep on the floor until he wrote his dispatch and got ready to send it back.

Q. How do you account for it that things are in so good a condition for the colored people in North Carolina and not in other States?—A. Because in most of the other States they have no white Republicans, while down there in North Carolina we have 30,000 to 40,000 white voters, who belong, some of them, to the most respectable classes.

Q. Do you think the white Republicans there are in a large measure responsible for the good condition of that State?—A. Yes, sir; we have plenty of them. I think the State itself is a Republican State, and no man can carry it in a Presidential race against the Republican candidates except it be Governor Vance, and I hope he will not go down there this fall. I want the State to go Republican, and Indiana, too, if we can get it.

Q. If you were a Radical Republican, would you not want the Republicans to stay there in the State?—A. Yes, sir; because I think they are doing well enough, and believing the State to be Republican, I want to keep it so.

Q. Is your Republicanism of that order that you want to keep these people in North Carolina for their votes?—A. No, sir; not particularly. You can take from 3,000 to 5,000 out of the State, and we still can carry the State, unless Governor Vance is a candidate.

Q. Do not you think it is a very bad policy to take them from North Carolina and risk the loss of the State, when you can take them from Kentucky much easier?—A. Yes, sir; I think it is very bad policy, especially while there are about 10,000 in this town that you can take up and carry away without detriment to anybody.

Q. You think it bad policy for the Republicans to advise this emigration?—A. I do not say that anybody is taking the lead in this matter as a political movement; but I have heard men say so.

Q. What do you know about it?—A. Only what I stated in my first testimony.

Q. Did you hear anybody mention it, except Mendenhall?—A. Yes, sir.

Q. Did you talk with any Republicans about it?—A. Yes, sir.

Q. Have you written about it?—A. Yes, sir; frequently.

Q. You say you only heard Mr. Mendenhall mention it?—A. No, sir; I do not say that I only heard him.

Q. What others did you hear?—A. That is another question.

Q. Do you remember any other person whom you heard advise it for a political measure?—A. No, sir; not by names. He is the only man who said it in a public speech. Private conversation in which the matter has been mentioned is another thing. I do not think, Mr. Chair-

man, I am called upon to give away the private conversations of friends.

Q. We would be glad to have any proof that the Republican party is engaged in this movement—anybody that you have heard advise it for political purposes; how many have you heard?—A. I do not remember the number.

Q. Then you decline to name anybody?—A. Yes, sir; because the only man who said it publicly was Mendenhall. The rest of them said it privately, and unless I am forced to do so by order of the committee, I will not call their names.

Q. Then there might have been two or a hundred?—A. Yes, sir.

Q. Were they prominent Republicans?—A. Yes, sir; they were, and active.

Senator WINDOM. We insist, Mr. Chairman, that he shall state the names. Here is a charge brought against prominent Republicans who advised this exodus for a political purpose, and we insist that he shall give the names.

The CHAIRMAN. I would have no objection to his doing so myself, but I think the witness has the right to withhold his private conversations.

Senator BLAIR. We insist that he shall give us the names. We want him to tell who they are, that we may call them as witnesses to see whether or not they have said any such thing to this witness. We do not believe it.

The CHAIRMAN. I will state that we have gone along very loosely with reference to this matter. We have sought a number of times to get some information from the reports and minutes of this Emigrant Aid Society, and Mr. Wall and Mr. Fearing have promised, both of them, to bring those reports to the committee, and they have not done it.

Senator BLAIR. That is not the point, Mr. Chairman, here. If this witness says he does not remember the names, that is the end of it.

The CHAIRMAN. This is an open investigation of this subject, but I am not one of those kind of men who force private letters and conversations from witnesses.

The WITNESS. I will say for the benefit of the committee that this is the reason why I do not desire to give the names, while perfectly able to do so: that men cannot speak their sentiments upon some subjects here in Washington without being turned out of office and the positions that they hold, and it is to protect my friends in that regard that I decline to give the names.

By Mr. WINDOM:

Q. What positions are they in?—A. They are men who talked honestly to me, and who might be forced out of their places on the first opportunity for having given away their opinions on the political nature of this movement.

By Mr. BLAIR:

Q. Then these were men who agreed with you in your opinion of it?—A. Yes, sir.

By Mr. WINDOM:

Q. I ask you for the names of the men who mentioned to you that this thing should be done for political purposes.—A. I never said but one of them did; I also think, Mr. Senator, that you should cross-examine me upon the examination of Saturday, and not go off into this original matter.

The CHAIRMAN. As I understand the witness, he speaks of persons who have talked with him about this being a political movement, and who, like him, are opposed to it, and he fails to mention their names because they might be forced out of their positions in consequence of these opinions.

Senator BLAIR. The point made by the witness was that this was a movement urged forward by these prominent Republicans, and he tries to fix this responsibility upon the Republican party, and mentions that two or a hundred have stated to him that it was a political movement; and we want the names of these men. We want to defend the Republican party from this charge. This man refuses to give the names of the persons by whom it can be proved one way or the other, or by whom his testimony can be contradicted.

The WITNESS. In the first place I have not charged it on the Republican party. There is not a word of mine or a paper you can get to prove it by. I simply said that I was in that society; that a man in that society got up and made a statement that it would be a good thing to divert this exodus from Kansas to Indiana, as it was a doubtful State, and he suggested taking them from North Carolina. I have never made any charge upon the Republican party in connection with it.

Q. You do not mean to be understood as making any charge on the Republican party as a party?—A. No, sir.

Q. And you have no testimony to prove that it is interested in the movement?—A. No, sir; I simply said that I believed it from hearing men talking about it. I do not believe that Captain Wall, Mr. Holland, or the others have made money out of it, but from that speech which was made there that night I believed it was a political movement, and I was tired of seeing my people hauled round the country like so many hogs for political purposes.

By Mr. WINDOM:

Q. Then I understand that the two or a hundred who talked to you were prominent Republicans, and agreed with you that these people should not be carried there for political purposes?—A. I am going to answer your question, and will say to you that we did not agree that they should not be taken there for political purposes. We thought they should not be induced to go there for any purpose, as they were better off in North Carolina than they could possibly be in Indiana; but if they were going we were in favor of their voting the Republican ticket. I had no objections to their going there at all if they were to be cared for when they got there.

Q. Will you answer my question?—A. What is the question?

Q. You stated that there were from two to a hundred people whom you heard talk of the negroes going to Indiana for political purposes. These were people opposed to their going for that purpose?—A. Yes, sir.

Q. And you mention the name of one man only who advised it?—A. Yes, sir.

Q. Have you heard others do it except him?—A. Well, sir, he did not advise it for political purposes, I do not think.

Q. What did he advise?—A. I must state this in justice to Mr. Mendenhall, that this was two months before the movement commenced from North Carolina. Saint Louis was full of these colored people, and Holland, Wall, and myself and one or two others started this society, the purpose being to aid those who were fleeing from oppression in the South. Saint Louis was full of them, and the first money collected was sent to Saint Louis. That was a month or two before emigration began

from North Carolina. I think the first or second night that there was a meeting of the society Mr. Mendenhall got up and made a speech, and said he thought it would be a good thing to divert some of this emigration from North Carolina to Indiana, because Indiana was a doubtful State. Right then I said I would be opposed to it if it was to be a political movement; so did Professor Greener, and nearly all of them said so.

Q. Nearly all of them—portions of them said so?—A. Yes, sir; and Captain Wall and the others denied that it was a political movement.

Q. Then, if I understand you, there was a society, and a half a dozen or more of prominent persons who were discussing the means of relief of these people at Saint Louis were together, and one gentleman, Mr. Mendenhall, suggested that the negroes be taken to Indiana for political purposes, and all the rest opposed it?—A. No, sir; some of them said nothing. Very few of them said a word. I was the only one who made a speech, and Professor Greener said to me privately that he would not favor a political movement.

Q. All that was said then was said by you?—A. Yes, sir.

Q. And others of them afterwards expressed the same opinion to you?—A. Yes, sir; that was afterwards.

Q. And if any of them agreed with Mr. Mendenhall they said nothing?—A. Not publicly.

Q. Did you ever hear them say anything privately?—A. No sir; not that I remember.

Q. Did you attend another meeting of the society?—A. Yes, sir; I attended the third.

Q. And you heard it there again?—A. No, sir.

Q. The only time you heard it was when it was said by Mendenhall, and you opposed it and Greener opposed it?—A. He said so that night, but he is in favor of it now.

Q. Are you not in favor of it?—A. Yes, sir; I am for those who can do better by it.

Q. You do not know that Professor Greener is in favor of it for any political purpose?—A. No, sir.

Q. You left because you were not in favor of it; the others were opposing it, too, and yet you thought it was a political movement, because Mendenhall so stated it?—A. Yes, sir.

Q. Is Mendenhall a Republican?—A. Yes, sir; I do not know that he is a very prominent one, but he is a Republican.

Q. Do you know whether he was authorized to speak for the Republican party?—A. No, sir.

Q. You spoke of somebody replenishing their depleted funds by those means?—A. No, sir; I did not say that.

Q. I thought I took it from your statement?—A. You might have taken it from the newspapers. I think it was Jim Harris who stated it in his speech.

Q. You do not know anything of it yourself?—A. No, sir; I do not.

Q. What do you know of Jim Harris?—A. I know he is the most prominent colored Republican in the State of North Carolina.

Q. You published his speech, did you not?—A. No, sir; I read it from his own paper.

Q. What is his character for honesty?—A. I know of only one thing against it. While he was in the Republican legislature, where everybody stole something, he is said to have taken $7,000. I do not know whether he was guilty or not, as he was never tried, and never was brought up to testify even. It is a charge that was brought in the can-

vass of 1871. I went down there and they brought this charge against him of receiving $7,000 as a bribe about a railroad company or a railroad appropriation. He never was tried about it and has been in the legislature since. He is the editor of the leading colored paper, and was made editor by the white Republicans and others of the State.

Q. You speak of the "wholesale delusion of my people"; what do you mean by that?—A. I speak of the men who have gone down there and stated to the ignorant colored people that the government wanted them out in Indiana, that they would pay them a dollar and a half a day for work in the winter, that they would get a suit of clothes in Washington as they passed through, have their railroad fare paid, and get two dollars and a half a day in the summer time.

Q. How did you hear all that?—A. From North Carolina papers, and from Jim Harris, who traveled over the whole district and who made a speech in Wilmington. There were four or five thousand people there who were opposed to this exodus, and Jim Harris went down and made a speech, and so did Hunter, who traveled all through the State in the interest of this colored people's fair—a fair which was held by the colored people of the State, and which the white men, Democrats and Republicans, say was the best ever held in the State.

Q. What men do you refer to as having made these false and delusive statements?—A. Sam Perry, Williams, and Taylor Evans.

Q. Are those the only men who have been engaged in it?—A. Yes, sir; except the railroad agents.

Q. Those are the only colored men, however?—A. Yes, sir.

Q. Do you not believe, and have you not heard also, that the railroad company furnishes these men the money to go there and work up this movement?—A. No, sir.

Q. You do not know that the Baltimore and Ohio Railroad Company does it?—A. No, sir.

Q. Do you believe that the Baltimore and Ohio Railroad Company pays them a dollar a head?—A. I believe it, but I do not know it.

Q. You do not know any others engaged in it?—A. No, sir.

Q. You believe there is a feeling of dissatisfaction there from some cause among those colored people, which the Baltimore and Ohio Railroad Company has taken advantage of, and is going round with these men to work up the movement, and they pay the men a dollar a head for all they get to go?—A. No, sir. You ask the question, Mr. Senator, and you answer it yourself. The people were not dissatisfied, but they have been made so by these men. These men go down there, and go about them and tell them these great stories. If you go among ignorant men, white or black, gray or grizzly, who are getting only forty cents a day, and tell them they can get a dollar and a half somewhere else, they will want to go. It is these ignorant ones especially that they play for, and these men when they get here say that they are told to vote the Republican ticket when they get to Indiana. I do not object to that, and I wish, if they could be taken care of and would not suffer, that a million of them could go.

Q. Who did you hear tells them these stories of good times in Indiana?—A. I heard that Perry told them so.

Q. Is he in the employment of the Baltimore and Ohio Railroad Company?—A. I do not know, sir, but I heard that he told them these things.

Q. Do you know of anybody else who has done that?—A. Yes, sir; Williams and Taylor Evans. I say I do not know anything about the connection of these men with the movement, but what I say is, that I

have heard from all the people who have come here from North Carolina, and newspapers, that they were told all these things were true, that there was plenty of employment there, and that the prices were high.

Q. Of course everybody down there pretty much is opposed to their leaving?—A. Yes, sir. They are leaving a district, however, where we could afford to lose them, as it has 17,000 Republican majority. We can lose enough from that to carry Indiana, and still be able to carry North Carolina; and the reason that the people are opposed to it is because they think they are being used and duped.

Q. I mean do not the people of North Carolina want to keep them there on account of their citizenship?—A. No, sir; I do not think that makes any difference. Unless Governor Vance gets out and carries it, we can carry it for the Republicans the next time.

Q. Then they are opposed to the negro going away because they want him there?—A. Well, Senator, the people from the North and West do not understand the feeling. The people down there love the negro.

Q. It is pure sympathy and love for the negro, then?—A. Yes, sir.

Q. And you think that the negro is better looked after and will be better treated among the white people of North Carolina?—A. Yes, sir.

Q. When was this society organized of which you speak?—A. I think in August or September, but I do not remember which month.

Q. Of what year?—A. Last year; 1879.

Q. Were you present at its organization?—A. Yes, sir; at the first meeting.

Q. In the first place you were in favor of the exodus from the other States as a relief to the negro?—A. I am in favor of the exodus where I think the people who are emigrating think or feel they can better their condition. I am opposed to their being deluded into moving from comfortable homes to an inhospitable State where they will suffer.

Q. You are in favor of it continuing from Louisiana and Mississippi?—A. Wherever I think they are oppressed.

Q. Do you think they are oppressed there?—A. I do not know. I have not been there.

Q I ask you, from the information you have from your race and your papers, are you in favor of the exodus from Louisiana and Mississippi?—A. I am in favor of it when they are oppressed.

Q. Do you believe they are oppressed now?—A. I do not know. I know they have been.

Q. You are ignorant, then, on this subject?—A. Yes, sir.

Q. You were in favor of it some time ago?—A. Yes, sir; very much.

Q. What has changed your opinions?—A. Because I have not heard of anything of the kind since.

Q. Have you not had any democratic associations that changed you before you came to this committee?—A. No, sir; I have not seen a member of the committee or talked with them on political subjects, and I have not talked very much politics, certainly not with Democrats, since 1872.

Q. And you are balanced in your mind now as to whether you are in favor of it from Mississippi and Louisiana, but you are opposed to it from North Carolina?—A. I say I am in favor of it from other States if they are oppressed there, and I am opposed to it from North Carolina, because I know they are not oppressed.

Q. Well, you are opposed to it from North Carolina. Now how is it with respect to Louisiana?—A. I am in favor of it from there when they are oppressed.

Q. And you do not know that they are oppressed?—A. No, sir.

Q. Then you are in doubt as to whether you are in favor of it or not?—A. If they are oppressed in those States, I am in favor of it.

Q. Do you know whether you are opposed to it from those States?—A. I am opposed to it when they are not oppressed, and in favor of it when they are.

Q. Do you know whether they are oppressed or not?—A. No, sir.

Q. Are you now in favor of it?—A. I am when they are oppressed.

Senator WINDOM. I shall not put the question any more, unless the chairman would insist that the witness shall answer.

The WITNESS. I do not know anything about their oppressions there.

Q. Do you know whether you are opposed to it?—A. I am in favor of it where they are oppressed, and not in favor of it where they are not oppressed.

Mr. WINDOM insisted that the witness should answer the question in some more specific form.

The CHAIRMAN. If you can think of any other form of answer please do so.

The WITNESS. I will try.

Q. Have you any opinion to give this committee at this time upon the subject of the exodus from other States than North Carolina?—A. No, sir.

Q. For what reason do you decline to express an opinion?—A. Because I have not seen or heard anything about the exodus from those States for a length of time, and because I am just from North Carolina, where I am familiar with it.

Q. Then you have not any information on which to say that you are or are not in favor of the exodus from Louisiana and Mississippi?—A. No, so.

By Senator WINDOM:

Q. Why could you not have answered me in that way?—A. I did.

Q. Then you do not know anything of the facts?—A. No, sir.

Q. Then you have no opinion about it? When you joined the society what did you know?—A. It was to aid the fleeing negroes from Mississippi and Louisiana.

Q. Why?—A. Because they said they were being oppressed.

Q. For what were they leaving Mississippi?—A. They said they were being shot and oppressed.

Q. When was that?—A. In August last, I think.

Q. If they were being done in that way at that time has there anything occurred to change the status of affairs?—A. I think, sir, after the first exodus took place there have been no more outrages committed.

Q. Then you were in favor of it at that time?—A. Yes, sir.

Q. And thought it was a good thing?—A. Yes, sir.

Q. Well, the next point is you left the society organized to help them because Mendenhall thought they should be sent from North Carolina to Indiana?—A. Yes, sir.

Q. And you knew no one else in the society who favored that but him?—A. I thought that was giving the society a political purpose.

Q. And therefore you left it?—A. I have stated that.

Q. I do not think you put it on that specific ground.—A. I think I did.

Q. Who else in this society favored it?—A. There were others in the society in favor of it, I suppose.

Q. What makes you think so?—A. By their speeches and conduct.

Q. Who made any speeches?--A. That I do not propose to answer.

Q. Are the speeches secrets?—A. No, sir, not specially.

Q. Now what speeches did you hear?—A. I heard them speaking and talking, but I left there after the third night.

Q. Is it not true that you and Mendenhall were the only ones who spoke?--A. Yes, sir.

Q. And then you left?--A. Yes, sir.

Q. And I suppose you know nothing of anything else that occurred on that subject?—A. No, sir. These other matters were private conversations.

Q. You opposed their going from North Carolina to Indiana because you thought they were better off in North Carolina?—A. Yes, sir.

Q. You say the Democratic party in North Carolina is opposed to their going on account of their love for them?—A. No, sir.

Q. Did you not say so?—A. No, sir.

Q. Did you not say the people down there loved the negro?—A. Yes, sir.

Q. I say you did, too, and the minutes will show it.—A. I stated that they liked them better down there than they do in the North.

Q. Did you not give that as a reason why they opposed the negroes leaving?—A. Yes, sir; because they liked them, and think there is no necessity for their moving away.

Q. And they think that the negro will not improve his condition, but make it worse?--A. I do not know how they all feel about that, but I think so.

Q. I mean the white people.—A. I have not talked with many of them about it. I know the white newspapers are all opposed to it.

Q. On what ground?—A. Because they say they do not think there is any necessity for the removal of the colored people, and they think they are getting along very well in North Carolina. The negro has lived there all his life, and they need his labor. They have all those things stated in the papers, but I have not talked with any Democrats about politics since 1872.

By Mr. BLAIR:

Q. You confine your statement to North Carolina?—A. Yes, sir.

Q. How long have you known of these misrepresentations by Perry, Williams, and Evans?—A. I do not know anything about them. Of course I learned what I know about them from others. I get information from the newspapers published by both white and colored people. Being an editor of one myself, I exchange with every paper in the eastern part of the State.

Q. Did not the first load of emigrants from there go through here last July?--A. I do not remember.

Q. Well, the agitation must have been worked up before to get these people to leave.—A. Yes, sir; it began last spring.

Q. Then these stories must have been circulated last spring?—A. Yes, sir.

Q. And these three men were then engaged in it?—A. Yes, sir.

Q. Going round through the State working up the feeling?—A. Yes, sir.

Q. How long have the newspapers, white and colored, been opposed to it?--A. Some time during the fall, when the papers began to speak of it.

Q. Early in the fall?—A. Yes, sir; in September or October.

Q. Very soon after the first company left, and after the misrepresentations began to be found out?—A. Yes, sir.

Q. And, so far as you know, the entire white and colored papers, Republican and Democratic, are opposed to it?—A. Yes, sir.

Q. And you have been engaged in exploding these statements?—A. Yes, sir.

Q. And, so far as you know, all the means of public intelligence have been engaged since August in in exploding these statements and giving proper information to the people?—A. Yes, sir; all of them.

Q. Speakers and others have gone among them for that purpose?—A. Yes, sir.

Q. And have opposed the exodus?—A. Yes, sir.

Q. And these local sources of information are the sources to which the colored people would be likely to look for the truth?—A. Yes, sir.

Q. And they would believe what they saw coming from their friends, from the press and the clergy?—A. Yes, sir.

Q. That being the case, and having been the case for some time, it cannot be possible that the delusion continues, can it?—A. Well, right there, Senator——

Q. Answer the question, and do not make a speech. I ask, with all this information, with all the agencies of the State, all the avenues of information engaged in exploding these stories, in dissipating the delusion, have you any knowledge that it does still exist?—A. I have not.

Q. We sympathize, I believe, on political matters, Mr. Otey; but I want to know, if the emigration continues after the delusion is exploded, does it not follow that it is based on accurate information?—A. I can answer you, but you will not allow me.

Q. Your colored people down there are human beings?—A. Yes, sir; but they have false information.

Q. But the false information has been dissipated, and the emigration continues; if it has not stopped, is not that good proof that it is based on accurate information?—A. The people who are emigrating do not know anything of this; they are the most ignorant people in the State. There are not more than fifty intelligent men who have gone West out of twenty-five hundred or three thousand people.

Q. Take the ignorant colored men of the South, and whom do they most believe in; their friends who have a home influence with them, or these scalawags who lie to them under the guise of humanity?—A. They do not know that a lie has been told to them yet.

Q. You mean they do not know that all this talk about Indiana is a lie?—A. No, sir. They have just gone ahead like sheep; three-fifths of them go because others have gone before them, because their friends have gone.

Q. They have gone because their friends have gone?—A. Yes, sir.

Q. Have they heard from their friends very generally?—A. Most of them have, I believe.

Q. Their friends have been out there and found it as represented, do you mean?—A. Yes, sir; I think that the first batch has generally had a pretty fair time.

Q. Well, there have been several batches gone; how long does the mail take to go back from there?—A. Several days.

Q. The last batch went in December, didn't it?—A. Yes, sir.

Q. Then they have been there long enough to have been heard from; there has been opportunity for it, has there not?—A. I do not know, sir, whether they have been heard from or not.

Q. If these people were ignorant of the truth, and after getting there

could not get along any better than in North Carolina, and were abused there even worse and were not actually doing better, wouldn't they write back about it?—A. Yes, sir; it is supposable that they would.

Q. Would they have any interest in deceiving their folks at home?—A. No, sir.

Q. Wouldn't it be reasonable for them to write home whether they were better off or not; and, if so, to tell their friends to come out there?—A. Yes, sir; that is reasonable.

Q. If the exodus continues—and you seem to be apprehensive that it will—if it continues, isn't it likely it will be upon information from these people of the same class who have been out there and written home about it?—A. It looks reasonable.

Q. If it be a fact that these men went there under a delusion, expecting to find a paradise and finding a tophet, wouldn't you think they would write to their friends that all was not right, and they had better stay where they were?—A. A good many of them have done so, but very few of them can write.

Q. Don't it follow that if a few do write home that they are worse off than they were, wouldn't a large number of them write that they are better?—A. Those letters are not proven yet. I stated that those who went out with the first batch might do so. So might some of them gotten employment and written home.

Q. Can there be any doubt that if the exodus continues it is because those who have gone there write home to their friends that they are better off than they were in North Carolina?—A. All of them do not say so; there may be exceptions.

Q. But doesn't it follow that the exodus would not continue except upon information that those who had already gone were better off than they were down in North Carolina?—A. I do not know, sir, that it follows. I know one of the most intelligent persons who went in the last batch wrote a letter—my business manager had the paper—in which he said that they were not well received, and were worse off than they could possibly be in North Carolina; I went there to ask for the paper to bring it here to the committee, but he told me he had sent it to Senator Voorhees. That is a letter from one of the most intelligent men who went out there.

Q. You mean that is a letter written by one of those people back to North Carolina?—A. Yes, sir.

Q. And it got from North Carolina here?—A. Yes, sir.

Q. And you think it would have its effect as far as it could to refute these misstatements?—A. Yes, sir.

Q. And you think any other intelligent colored man would write the same way?—A. Yes, sir.

Q. Do you think all of them would?—A. Yes, sir.

Q. Do you think they would have any interest in deceiving those of their friends who remained at home?—A. No, sir.

Q. But you think that if this exodus continues on such information from these people it would be an argument that most of them write home that they are doing better in Indiana than they were in North Carolina?—A. No, sir. Let me have a chance to answer you. I was going to talk to you of a woman who was in the streets of Alexandria begging money to get back home, and she was coming back from Indiana.

Q. But I am now asking you about letters received from these people in Indiana. If the exodus continues upon the strength of letters received from those who have gone before, don't you consider it an argument

that they are doing better in Indiana than they did in North Carolina?—A. That I cannot say.

Q. I ask you if it is not reasonable to say that most of the information received is that their condition is better?—A. Will you let me have a little time to answer you?

Q. No, sir; you can say "Yes" or "No"; you answer my questions.

[The witness objected to answering without opportunity for explaining his answer.]

Q. (By Senator BLAIR.) I want to ask you this question, and if you desire to make an explanation after answering you have the right to do so: If the exodus continues on the information of those who have been there and seen the country, if it continues upon such information, isn't it a proof that the condition of the colored man is better than in North Carolina?—A. If they have received this information it would tend in that direction. If it continues on such information it would seem to be all right. My opinion is that these people have not received this information, but are following each other like sheep. While you see these statements made in newspapers about their condition, they are not all of them true. I have been abused for talking about what I have read in Democratic newspapers, but if you will look in those papers you will find letters giving a different view of their condition there. Not more than two weeks ago a colored woman was right here in Alexandria in the streets who had been fooled away from home, and she had walked back, and was seeking to borrow money to get back home. A good many of them have gone out there and are going to be kept out there; I do not know what for, but they will be kept there I am satisfied, and will be induced to make good reports of their condition.

Q. Are you going to answer my question? I ask you if you thought it was going to continue?—A. No, sir; not at all.

Q. You say the Democratic papers published these statements, and that the Republican and colored papers in the South are doing the same?—A. Yes, sir.

Q. Will you state whether you were ever in Indiana? Just answer "yes" or "no."—A. I never was.

Q. Do you know what an ordinary hand, from your own personal knowledge, can get for a day's work in that State?—A. I do not know myself.

Q. Do you know anything about it?—A. I know there are more tramps in Indiana than there are in all the South.

Q. How do you know it?—A. I know it from the newspapers.

Q. I am not asking you for defamatory articles against the State of Indiana. I do not want you to answer anything more than what I ask you for. Do you know the amount of wages paid to laborers in Indiana?—A. I do not.

Q. How do you know they do not get a dollar or a dollar and a half a day?—A. I do not know it.

Q. You do not know but that this information that these men have received is correct?—A. I do not know it; but I do not believe it.

Q. Don't you believe that they can get from sixty cents to a dollar a day for labor?—A. Do you mean all of them?

Q. I mean a good average hand.—A. Men?

Q. Yes; can't men get from sixty cents to a dollar a day each?—A. If they can get employment, I suppose they can.

Q. Don't you believe that they can do it?—A. I have got no belief about it.

Q. Then have you any information to the contrary?—A. No, sir.

Q. Why, then, do you denounce this movement if you have no belief about it, and don't know but that they are better off in Indiana than in North Carolina?—A. I do not think any man ought to leave one place and go to another when he is doing well and cannot better himself by going.

Q. But you say you do not know that he is not bettering himself. You say you have no belief on it?—A. I said I have no belief about the wages they are receiving.

Q. Then you do not know but that they are as well off generally, except as to wages in Indiana, as in North Carolina?—A. Well, sir, if they are not more than just as well off, I would oppose the movement.

Q. Do you believe they have got as good a chance to go to school in Indiana as in North Carolina?—A. I do not believe they have got any better.

Q. You believe they can get six months' schooling in Indiana; six months is better than three, is it not?—A. Yes, sir.

Q. If they can get six months in Indiana and only get three in North Carolina—if that is a fact, are they not better off?—A. Yes, sir; in that regard, if that is a fact.

Q. You do not know but that is a fact?—A. I do.

Q. How do you know it?—A. I know in the country you have three four months' schooling, and in the cities six and eight months.

Q. How do you know it if you have never been in Indiana?—A. Because I lived in Ohio, right adjoining it, and I know something about it.

Q. Don't you believe that the chance for schooling is better in Indiana than it is in North Carolina?—A. I think the chances in North Carolina are equaled but not surpassed in Indiana or elsewhere.

Q. You think, then, in the matter of schooling they are as well off in Indiana as in North Carolina?—A. I believe they are at present.

Q. At present? What do you mean by that?—A. Yes, sir; I say at present, because I believe they will have as good schools and as many of them after a year or two in North Carolina as they would get anywhere in the North.

Q. You do not know, you say, what wages they are getting?—A. No, sir; I do not.

Q. Do you believe they are getting better wages than they do in North Carolina?—A. I do not know that they are at present.

Q. I take it the fact is that you do not know very much about how they are situated in Indiana, and cannot give any better basis for your opinion than your general guess-work and impression.—A. I would not oppose it, except with good reason for it.

Q. This paper, the Argus, is your paper, is it?—A. Yes, sir.

Q. In this issue of December 6th, 1879, I find the following:

"Capt. O. S. B. Wall deserves great credit for his untiring energy and interest in behalf of the fleeing emigrants from the Southern States. The captain has worked hard for the past three or four months, in getting transportation for those who have come here from the Southern States. We have a high opinion of Captain Wall, and at some future time we propose to have more to say about him. He is a public benefactor."

WITNESS. Well, I agree to that. He helped them after they got here. I would have done the same myself, if I had had any money.

Q. Have you anything to say against what has been actually done by the Emigrant Aid Society?—A. I do not know anything against the society.

Q. You believe the purpose for which it was organized to be a good one?—A. Yes, sir.

Q. And it has adhered closely to the original purpose?—A. Yes, sir.

Q. In short, you believe it is a good society?—A. So far as its object is concerned. I drew up its constitution, and they only formed another one last week. The object of the society was to help men fleeing from oppression.

Q. I did not ask you its object, or who drew up its constitution. I asked you if the acts of the society—what it has done—have not been of a worthy character; non-political, and such as you approve of?—A. So far as I know, yes, sir.

By Mr. VANCE:

Q. Mr. Otey, as a North Carolinian, I have been gratified to hear how you speak of that State. You have, however, made one statement that you will perhaps correct when your attention is directed to it; you made it laughingly, and probably did not mean exactly what you said. I refer to your statement that the law for confining men guilty of larceny in the penitentiary was made for the purpose of disfranchising colored men. Now I ask you, was not the change in the old law, doing away with the whipping-post and abolishing corporal punishment, made in 1868 by the Republican party?—A. Yes, sir.

Q. And was not the constitution, abolishing all corporal punishment and substituting imprisonment instead, made by the Republican party when the State was readmitted to the Union?—A. Yes, sir. But the law making felony out of a petty crime was made by the Democratic party—by a Democratic legislature.

Q. It was always a felony in North Carolina, under the common law, to steal, was it not?—A. I know that it was always a felony to steal; but it was not always the law to put them into the penitentiary for stealing every little thing. In former times they would hang a man for stealing a horse, or a mule, and whip him for stealing a hog.

Q. Did not conviction of felony in old times disqualify a man for citizenship?—A. Yes, sir.

Q. And when a man was whipped, did not that disqualify a man for citizenship?—A. Yes, sir; but they were never whipped; I mean, free men, who had a right to vote, were not; of course slaves were. But a man, if he stole a mule, was put in jail for so long a time; and if he stole two mules, he was hung.

Q. For the second offense, you mean?—A. Yes; for the second offense he was hung. But now they send him to the penitentiary if he steals a chicken—the same as they do in Virginia. And I do honestly believe that that law was made for the purpose of disfranchising colored men.

Q. Do you think the men who legislated upon the subject, the men who made that law, had that object in view?—A. I don't know whether they did or not, but it looks very much like it. I know I went through the penitentiary, only a short time ago, and I saw a great many white men there, and only a few colored men.

By Mr. BLAIR:

Q. You say you went through the penitentiary?—A. Yes, sir; I was not there as a convict.

Q. I did not mean to insinuate anything of the kind. You say you saw a large number of white men in the penitentiary, and but few colored men?—A. Yes, sir; and I was going on to explain how it happened. I saw more white men in the penitentiary than colored men,

not because there were not so many white men there, but because the colored men were hired out to the railroad companies.

Q. You say that, in your belief, this law was made on purpose to disfranchise colored men?—A. Yes, sir.

Q. Explain how it produces that result; what is done under it?—A. Well, suppose a man steals a chicken; he is brought up before the police court, and his case is sent to the grand jury; he is there indicted; he goes before the court and is tried and convicted to the penitentiary; he goes there, and serves his term out. If he serves his term out, and is not pardoned by the governor, he is disfranchised and cannot vote again while he lives. Only, black men look so much alike that you can't tell the difference, so they do vote, any way.

Q. But you believe the law was passed for the purpose of disfranchising the colored men?—A. Yes, sir.

Q. What about the hiring out of colored men on the railroads?—A. It is the same there that it is in Virginia; the colored men in the penitentiary are hired out to work on the railroads, the white men are not. The white men stay in the shops, and make shoes, and do other indoor work. The colored men, the few who are kept at the penitentiary, are kept cutting stone to build the walls for their imprisonment, or some work of that sort. But the most of them are sent out to work for the railroad companies. A great many are sent out to the Western North Carolina Railroad.

Q. Is not this also a fact, that the white convicts in the penitentiary are there for very much more serious crimes, as a general rule, than the colored ones?—A. Yes, sir.

Q. A colored man, you say, is sent to prison for stealing a chicken?—A. Yes, sir.

Q. They are sent there for very slight matters; is not that a pretty common thing?—A. Yes, sir.

Q. How is it with white men? Would they be sent to the penitentiary for stealing a chicken?—A. Yes, sir; if prosecuted. But they generally don't steal such small amounts.

Q. They generally steal larger amounts?—A. Yes, sir.

Q. And the hardship comes in that way?—A. Yes, sir; that is it.

Q. The negro, as a race, is guilty of far less heinous offenses than white men, and yet suffers the same severity of punishment?—A. Yes, sir. If a colored man steals a chicken he is put in the penitentiary for a year; if a white man steals a horse, he goes to the penitentiary for five or ten years; if he steals two horses—that is, for the second offense—he is put in there for life.

Q Do you know of any instance where white men have been disfranchised on account of having committed petty offenses?—A. I don t associate with ex-convicts, and don't know anything about it.

Q. I did not mean to intimate that you were a convict; but you spoke a few minutes ago about going through a penitentiary and seeing a good many white men there, and but few colored men. From what you learned there, or in any other way, do you know of any white men ever being disfranchised for petty offenses?—A. I could not tell whether those white men were disfranchised or not, for I didn't know anything about it.

Mr. VANCE. The conviction of felony itself disfranchises the convict.

The WITNESS. Conviction to the penitentiary disqualifies a man from voting, unless he is pardoned out by the governor two days or a month before the expiration of his term.

Mr. VANCE. But his right of franchise can be restored.

The WITNESS. Yes; by an act of the legislature.

By Mr. BLAIR:

Q. Do you know of any colored man who had been convicted to the penitentiary?—A. No; nor white man either.

By Mr. VANCE:

Q. Have you said anything yet to show that the law of which we are speaking was passed for the purpose of disfranchising colored men?—A. I still hold that the law was made to disfranchise colored men.

Q. I do not see how you have yet made it appear?—A. It appears clear enough to me. For instance—I hate to say it, and I say it to my own shame, and that of my own people, but these laws against petty larceny operates more hardly against colored people than white people everywhere, and especially in the South. Many of the colored people are very poor and have nothing to live on. They have been brought up in such a way that they are almost taught to steal, as well as compelled to by their poverty. But if they do steal anything, however small, they are sent to the penitentiary, and that disfranchises them. And I believe—of course I do not know, but I *believe*—that the law was passed for the purpose of disfranchising us.

Q. Do you not think it may have been done also with an idea of appropriating the avails of their labors, for very slight offenses in some cases?—A. I don't know how that might be.

Q. Are these men a source of profit to the railroads?—A. No, sir.

Q. Do the railroads pay the State for the labor of the men?—A. The State is paid for their labor, but not more than their support amounts to.

Q. Then the railroad gets the benefit of their labor?—A. I do not know about that. I know the State has to pay for the guards who guard them while working on the railroad.

By Mr. VANCE:

Q. You intimated in your testimony that white men are not sent to work on railroads?—A. I may have said that, but in fact I do not know; I meant to say that I never saw any, and never knew of any being sent out. I know they said there were three hundred and fifty colored men in that penitentiary, and I did not see more than ten colored men there; but I saw about a hundred white men there making shoes, clothing, &c.; and the man who took me around said—and he was a white man and a Democrat—he said that the reason of it was that the white men were hired out to work on the railroads.

Q. Did you hear any complaints of ill-treatment of men on the railroads or public works?—A. No, sir. On the 1st of January I went on an excursion, and saw people from all parts of the State, from Goldsboro and Weldon and Greensboro and other places; I talked with the people generally, and they made no complaint whatever. The only thing they said to me was they begged me to come and live there; and I saw such prosperity that I had a great desire to settle there, and if I hadn't been married I think I would have staid there.

Q. Do you not know that in the constitution, which provides that convict labor may be hired out, there is also a provision that they shall be superintended by a responsible State official and are under his constant supervision, so that they are not in the hands of irresponsible contractors?—A. I know that the men who guard them are paid by the State government.

Q. They are simply working for the railroads under the supervision of a State official?—A. Yes, sir.

TESTIMONY OF JULIUS A. BONITZ.

JULIUS A. BONITZ sworn and examined.

By Senator VANCE:

Question. State your residence and occupation?—Answer. I reside at Goldsboro; I am editor and proprietor of the Goldsboro Messenger, and have been for the past thirteen years.

Q. Goldsboro is about the center of this movement of the colored people to the West?—A. Yes, sir; a large number of 'exodusters' have left my section.

Q. You are acquainted with the region from which they come, the circumstances and condition of the people, &c.?—A. Yes, sir; intimately.

Q. Be good enough to state to the committee your impressions, and the facts upon which they are based, as to the reason of the exodus—whether it arises from natural laws and causes of migration, or from political oppression, or from the injustice of their white fellow-citizens, or what?—A. It is difficult to get at the reasons. I see no reason why they should leave North Carolina. There is certainly no political oppression there. My paper, I believe, has the largest circulation of any in the district; I may safely say it is considered the leading paper in the district; in fact, the leading paper in East North Carolina—that is, east of Raleigh. I have endeavored in vain to discover any reason why the colored people should leave North Carolina. Furthermore, I find, so far as my acquaintance goes, that those who have left my section are of a roving, migratory disposition. They look upon the prospect of a journey North as a grand excursion. If the movement had continued as it began, several thousands, perhaps, would have left, where only a hundred has gone now. It has had a very demoralizing effect upon the laborer in our section. Just at present there is a lull in the exodus; hundreds, perhaps thousands, are uneasy, undecided, unsettled. A very little would induce them to go. The return of a few who left to go to Indiana has caused a lull, and it remains to be seen what the future will be.

As I said, there is no apparent cause for their going. I think Mr. Otey's evidence is correct and Mr. O'Hara's evidence is correct when they say that, so far as the condition of the colored people are concerned, there is no oppression in North Carolina. It is true that in my section, and throughout the eastern portion of the State, only perhaps one-tenth of the white population are Republicans, and the other nine-tenths are Democrats, while the colored population are Republicans, solid. At the same time, the colored men are allowed to vote as they please, to work for what wages they choose and for whom they please, and to do as they please—of course always within the laws of the State.

The first intimation I had of this exodus, some meetings were got up in our section and in Lenoir County, under the auspices of Sam Perry and Williams—I do not remember Williams' first name or initials. They were holding meetings in that section for some months. These meetings began in the spring, and continued during the summer. At these meetings incendiary speeches were made; the unpleasant features of life in North Carolina were dwelt upon and exaggerated, while Indiana was pictured as a perfect paradise for colored men. Letters were read from Indiana, stating that the colored people there were treated just like white men; that colored laborers were permitted to sit at the same table with their white employers; that their children were allowed to go to school with the children of white men. They were told that they could get from a dollar to a dollar and a half a day for their labor. I have

been informed that this was what was told the colored men at these meetings; I never attended one of them myself. I speak from common report. I have seen papers printed, and have myself printed circulars upon the subject; I have printed notices for Taylor Evans, calling these meetings; I did all his printing at one time. A number of societies were organized in the interests of this exodus movement. There was one organization at Stony Creek; another at Bear Creek; and other organizations at other places in the county. I am informed that the Stony Creek organization had a membership of over a thousand.

I do not know so much about the organizations in Lenoir County. I know nothing of them except by report.

It seems that these men, at least Perry, required the colored people to pay a fee, and I think he visited Indiana; at least he visited Washington; whether he visited Indiana or not I do not know, but I know he came here. On his return to La Grange, he of course did everything in his power to influence the colored people to go to Indiana. In one township there was scarcely a colored man left in the township, or woman, or child, but what was talking about going, and anxious to go, or at least contemplated going. I think that inducements were offered them; I was told they were promised that their fare would be paid; at any rate, that it was desirable that they should pay their fare as far as Washington City, and on arriving here their expenses would be paid to Indiana, and on arriving in Indiana they would be supplied with homes and labor.

By Mr. VANCE:

Q. Have you been present at any of these meetings, or conversed with anybody in regard to what occurred at them?—A. I have not been at any of the meetings, but I have seen colored men who have been there; I have seen one colored man that quit the meetings, because he did not agree with the spirit of the organization.

Q. Explain the condition of the colored people in your section, the average price of labor, and the opportunities of the colored men to do well.—A. The condition of the colored population in our section has greatly improved, both morally and otherwise. I will speak first of educational facilities. They are as good as those of the whites. I speak of their free schools; of course the whites have better educational facilities in the shape of colleges; though the colored people have a college at Raleigh. I am chairman of the school committee in my own town and township, having in my charge both the white and colored schools, and have been for several years. I have made arrangements with a man named Jones, who represents a society of Friends in the North—I think it is called the Freedmen's Aid Society—who supplies one teacher. I have employed three excellent teachers, all colored, and we have a school in operation eight or ten months in the year, in which between two hundred and three hundred children are taught. I visited the school last week, and then found that they had an average attendance of two hundred and sixty-six. There are four teachers, three of whom are employed by my committee and paid by the State. The money that is necessary to keep the school in operation is raised by taxation. By the constitution of the State seventy-five per cent. of the poll-tax goes to the school fund, and the schools are principally supported from the poll-tax. For instance, in Wayne County last year $2,153.46 was raised for school purposes. In my own county I have made an estimate that about two thousand dollars in all are raised on taxes for school purposes from the colored people, while the expense of the county for car-

rying on the colored schools is about $3,300, thirteen hundred dollars of which, therefore, must of course be paid from the taxes upon the white people. The Democratic legislature has established a normal school at Fayetteville, with an annual appropriation of two thousand dollars, which receives assistance from the public fund and other sources. The object of this school is to qualify colored people to become teachers of their race. This school will receive, I am confident, the best encouragement from the white people of the State, the Democratic party in particular.

I am also director of the asylum for the colored insane of the State; in fact, I am one of the building committee, and secretary of the board of directors. We are now building at Goldsborough, and will have ready for occupancy by the middle of March, the main part and one wing of a building that, when built, will cost between sixty and seventy thousand dollars. The appropriation was made at your suggestion, governor [referring to Governor Vance]. We have already expended, including contracts given out, about forty-three thousand dollars. When this portion of the building is completed, there will be accommodations for about a hundred and twenty-five insane persons—colored insane, of course; no others are admitted. As soon as the legislature meets again another appropriation of twenty thousand dollars will be made for the completion of the other wing. The building is a creditable three-story building. We have now completed, besides the offices, reception rooms, &c., one hundred and twenty-five rooms or wards for patients. The building is supplied with all the modern improvements. The heating apparatus, laundry, and water fixtures cost eleven thousand dollars. We congratulate ourselves that we made our contract when building material was remarkably cheap; the portion that we are to have built for forty-three thousand dollars, if the contract were to be made now, could not be built for less than sixty thousand dollars. It is estimated that we have two hundred insane in the State.

So much for educational facilities and the comfort of the unfortunate.

Q. Give the committee an idea of the average price of wages, what colored people can make by cropping for themselves on shares, &c.?—A. Well, governor, that, as you know, depends very much on the industry and capacity of the laborer, among black men as well as white. The wages for ordinary farm labor is from seven to ten dollars a month; some excellent hands receive twelve dollars a month.

Q. With rations found?—A. Yes; with rations found—supplies for a week's support—and a house and fire wood furnished. I have a colored man in my employ whom I have paid ten dollars a month for the past twelve or thirteen years. Colored mechanics find no trouble in getting employment; and we have some excellent mechanics among the colored people—carpenters, blacksmiths, shoemakers, bricklayers, buggy-makers—in fact, almost every trade is represented.

Q. What are about the average wages of these mechanics?—A. Well, they can make from a dollar to a dollar and a half a day; good hand find no difficulty in getting a dollar and a half a day. I have paid that myself, again and again.

Q. Is there any discrimination shown in favor of white mechanics, as against colored ones?—A. Not the least; if any discrimination is shown it is the other way. Indeed, I have heard complaints on the part of white mechanics that colored mechanics could get work when they could not. A good deal of jealousy on this point has been manifested on the part of some. Being the editor of a newspaper, such

things come to me more frequently than they would to the most of persons. I have known white mechanics, who were Democrats, complain because Democrats employed colored mechanics, who did not vote the Democratic ticket, in preference to them.

Q. Is there any discrimination in the matter of renting lands?—A. None whatever. I speak advisedly and knowingly when I say that the majority of planters prefer reliable colored tenants to the ordinary white tenants. So far as there is any discrimination it is in favor of the colored man and against the white man. Of course, colored men who are known to be industrious and good managers are preferred to the lazy and negligent ones; but the same thing is true of white men.

Q. What are the usual terms upon which land is rented?—A. One-fourth is the usual rent—the landlord gets one-fourth, I mean.

Q. Who furnishes supplies?—A. The landlord furnishes supplies, and horses or mules, &c., with which to put in the crop and carry on the work. The supplies are charged, and of course deducted from the crop. If he has sufficient means to make his own crop, of course all that he raises, except the one-fourth for rent, is his.

Q. And his profits depend not only upon his industry, but upon his extravagance in the use of his supplies while the crop is growing?—A. Yes, sir. I know a colored man living near Mount Olive, twelve miles from Goldsborough, who is the owner of three hundred and sixteen acres of land. His name is Calvin Simmons. He has, within the last year or two, finished paying for the plantation. He bought it some years ago, on long time, at the rate of ten dollars an acre. He paid for it himself—and his boys—with what they raised off from it. More than that, I have got it from his own mouth that he cleared, within the last year, nearly five hundred dollars on his crop. I don't remember the exact number of years it has taken him to pay for it. I know a number of instances in which colored men have bought lands upon the same terms, and paid for them, and now have them for homes of their own. In my own town there is a man named William Bernard, who owns a fine house and lot. Not long ago I offered him a thousand dollars for his place; but he refused it, on the ground that he did not need the money. It is well located, a valuable piece, and increasing in value every year.

Q. In your observation, and extensive acquaintance, is there anything in the laws of the State, or in the business customs of the community, or in the practices and methods of labor, or anything of that kind, to prevent the colored men doing as well as the white men in North Carolina?—A. No discrimination has come within my knowledge. If there is any discrimination it is in behalf of the colored people.

Q. You say that the landlords as a general rule prefer good colored tenants?—A. Yes, sir; there is no doubt of that.

Q. White men do not get any better terms than colored men?—A. No, sir; none at all.

Q. And sometimes white mechanics have complained that colored mechanics are given the preference?—A. Yes, sir. Being editor of a paper, and chairman of the Democratic county central committee at the same time, I have heard this complaint frequently. They have come to me with reproaches, saying, "Why, I vote the Democratic ticket, and here is a negro who votes the Republican ticket, and he can get work of you Democrats when I cannot."

Q. Is there any feeling of hostility on the part of white men toward the colored men; any disposition to oppress or "bulldoze" them, as it is sometimes called?—A. I have not heard of anything of the sort. I have been in political life for fourteen years, and within that time I have

not heard of any disturbance. There has been no social disturbance in my section. I have heard, of course, of some prejudice amongst the lower classes—the same as you will find in the north. But so far as intelligent white men are concerned, they all feel kindly toward the colored man, and are disposed to help and encourage him. In saying this I speak knowingly. So far as "bulldozing" is concerned, I do not know whether I apprehend your meaning.

Q. I mean, for instance, whether you know of landlords using their power as landlords to compel their tenants to vote as they desire them to; or white men in any way compelling or trying to compel colored men to vote their ticket?—A. If there is any bulldozing it is on the part of colored men.

Q. In what way?—A. I have known cases where colored men have compelled other colored men to vote the Republican ticket, contrary to their wishes; that is, have brought compulsory influence to bear upon them sufficient to accomplish that purpose. I have known instances where colored men have said to me, voluntarily, that they were going to vote the Democratic ticket; but when election day came they turned around and voted the Republican ticket. Some of these men were in my employ. They would come to me, unsolicited, and tell me they were going to vote the Democratic ticket, but on election day would vote the Republican ticket. And the reason they would give was this: These white Republicans have had what they call their "strikers" out, who have said to these colored men who were about to vote the Democratic ticket, you must not do so; you must vote the Republican ticket. And sometimes his colored associates would say that; or his preacher or his wife. And those two agencies are frequently resorted to to keep the colored men in the Republican party. The only bulldozing I know is of that sort. If a colored man were to vote the Democratic ticket he would be ostracized among his race, if not actually mobbed; he would be turned out of the church and divorced from his wife.

Q. Do you know of any unjust discrimination against colored people in the courts?—A. My observation has been considerable in that respect, as in other matters. I have attended the courts of different counties in my part of the State. In my own county I know of no instance where a colored man has been imposed upon by a white man. Of course, ordinary bar-room fracases and affrays have occurred; but such things occur among the trifling classes of both races everywhere; and yet, we have not had many of these. In fact, in those that we have had, do not understand me to charge the blame upon the colored people any more than upon the white, and perhaps not so much. We have, I am happy to say, a most excellent colored element in my section—peaceable and industrious. To show that the colored people are not imposed upon by the whites, I will relate these facts: We have had, within the last thirteen years, eleven or twelve murders in my county. Five white men and one white woman have been killed; the other murders have been among the colored people—that is, colored persons have been killed by colored persons. In those cases where white persons were killed, the murderers were colored persons, or the evidence directly pointed to the murderers being colored men; but in no single instance in thirteen years has a colored person been killed by a white person.

Q. Five white men and one white woman have been killed by colored men?—A. Yes, sir; some of the murderers have been apprehended, and some have made their escape; but it was known who they were.

Q. I will ask you, while you are upon that point, to relate briefly the circumstances connected with the "Worley" murder.—A. The one in connec-

tion with which rape was supposed to be perpetrated—O, yes. The community is really under many obligations to the colored element for their activity in bringing those murderers to justice. It was the most atrocious murder ever committed in our State. The victims consisted of a father, mother, and three infant children. They were tenants in a neighborhood known as "The Islands," that had previously been occupied and inhabited altogether by colored people. The land is owned by a Mr. Atkinson, who concluded that he would make a change and settle some white tenants on some of his land, and did so. It seems that on that account some jealousy or hostility arose among some of the colored tenants toward these white tenants. That is one report of the origin of the trouble. Another report is that one of these colored men had frequently made remarks that this man's wife was a mighty pretty woman, was too good for her husband, and that he certainly must become acquainted with her. That was the evidence adduced on trial. The murder was committed some time in the night; the first that was known of the murder was that the husband and wife were found next morning, both murdered. The three children—one a child four years old, the next not quite three, and the other an infant a few months old—were left during a cold February night, without any fire, in a lonely log cabin, with the father outside and the mother right at the back steps, both with their brains knocked out and their corpses terribly mangled; there was none to guard the children except a faithful watch-dog. For a long time it was impossible to obtain any clue to the murderers; it was a perfect mystery what could have been the inducement or provocation to such a terrible crime. A post-mortem examination showed that Mrs. Worley had been outraged before she was killed. Of course the entire community was terribly excited, and most justly so. The murdered persons had been peaceable, unoffending citizens, in the humblest walks of life, as poor as they could possibly be; so the murder could not have been committed for the purpose of obtaining any money from them. Every effort was made to ferret out the guilty parties. The colored people, no doubt, felt their responsibility in the matter—the better class in that section; and they requested and urged permission to organize a jury of inquest. This was readily granted by the sheriff; they were permitted to deputize other sheriffs, and to have all the facilities that a regularly organized court of inquest could have had. After working for a week or so they finally succeeded in getting a clue to what they supposed would lead to the apprehension of the guilty ones. The rest of the story was given in evidence when the case came to trial. A colored man named Jerry Cox was arrested on suspicion. At first he denied that he had had anything to do with it or knew anything about it; but when he saw that the net of circumstantial evidence which was woven around him seemed complete, these colored men finally succeeded in getting a confession from him; and the community is very thankful to these colored men that the guilty parties, this Jerry Cox, and three besides him, were finally brought to justice. They were tried, convicted, and hanged.

Q. Through the instrumentality of these colored men?—A. Yes, sir. We never would have succeeded in getting the evidence to convict the murderers but for them.

So far as the courts of justice are concerned, I think Mr. O'Hara's statements are correct in most particulars. There is no discrimination made between white men and colored men in our courts of justice. The great trouble seems to be to get reliable evidence before the jury; but that trouble arises without regard to the color of the party impli-

cated or on trial. The majority of colored witnesses do not seem to understand the nature of an oath; that is the great difficulty in our courts. Of course that is the kind of witnesses that are more generally put upon the stand by this class of criminals. Respectable colored men seldom, if ever, have any business in the courts. But in regard to color, I have known of no discrimination in our courts.

Q. Do you know of any discrimination in the infliction of punishment by judges?—A. I have not. If there is any discrimination, it is in favor of the colored men. I remember one striking instance of this. Two white men, it seems, had left Greenville to go home; they resided some distance in the country. They were evidently in liquor. On their way home they overtook or were overtaken by a couple of colored men. They got into a cutting scrape, and had a terrible row. Both were indicted for the affray. Our present governor, Mr. Jarvis, was attorney for the colored men; while Major Latham was the attorney for the white men. The white men were put on the stand, and swore that as they were going home, two colored men jumped out of an ambush and assaulted them. The colored men were put on the stand and swore to exactly the opposite; that they were on their way home, when the white men came up behind them and assaulted them. Both sides were ably defended. When the case was given to the jury, the jury acquitted the colored men and convicted the white men. The judge, a Democratic judge, then ordered that an indictment be found against the white men for perjury, on the testimony of the colored men.

I could cite numbers of instances of that kind. There was the case where William Bernard, a leading and influential Republican, who had made himself obnoxious to leading Democrats, but who had never been molested. He was charged with highway robbery upon an old man; the same old man died last week, seventy-nine years old. He was seventy-six years old at the time of the robbery—that was three years ago The evidence against Bernard was the strongest evidence I ever heard. I published it at the time. Both white and black, that heard the evidence, expected his conviction. The jury consisted of white men; there was not a single colored man on the jury. I cite this to show that no political considerations enter our courts; for he was a leading obnoxious Republican; one of these "strikers," ready to do any dirty work for the party that was needed. Yet, when the jury rendered their verdict, he was acquitted. They had their doubts, and they gave him the benefit of the doubt.

Another case was that where a colored man named Lewis Taylor was charged with killing Calvin Ethridge, a white man. There was no doubt that he had been hired to do the killing by two white men; in fact, the two white men employed counsel for him when his case came to trial. Intelligent white men on the other side employed counsel to prosecute Taylor. The case was removed from Wayne County to Duplin County—one of the strongest Democratic counties in the State. He was tried before a white jury, and the jury acquitted him. Here, again, there was a doubt in the minds of the jury, and the accused, although a colored man, was given the benefit of the doubt. Yet everybody to-day believes him guilty. That case cost the county more than twenty-five hundred dollars.

My friend Otey, here, of course speaks only from report when he says that white men who have been sentenced to the penitentiary are not sent out to work on the railroads. Now, I know of white men who have been sent to work on the railroads; I know of such a case in my own county. A white man named Nuchin was sentenced to the penitentiary

for five years, for stealing a pistol from a colored man named Winn. His wife was a very pitiable object, certainly deserving of charity; and I interested myself in his behalf, and succeeded in getting up a strong petition for his pardon; and the governor, with some reluctance, pardoned him. While he was in the penitentiary he was sent out to work on the Atkinson and Raleigh Railroad. He was the only white man pardoned out of the penitentiary by our governor here [indicating Governor Vance]; while three or more colored men were pardoned out by him, before the expiration of their term. I think you pardoned only one white man, governor?

Mr. VANCE. Yes, sir; and yet I think I was accused of being a little too liberal.—A. Yes, sir; the principal complaint against you on that score was in the case of Stephen Darden, who was sentenced to be hanged for burglary and attempt at rape. The governor commuted his punishment to imprisonment for life.

I wish to express, with your permission, the feeling of our people with regard to this exodus. Our white people, regardless of politics, are opposed to it. It is resulting in great demoralization to our labor. The colored man is the best laborer we can possibly find on the face of the earth.

Q. What is the opinion of the more intelligent and well-disposed colored men?—A. They, too, are opposed to it; I do not know of a leading colored man in my county that is working in the interest of this exodus movement. I cannot account for it. No intelligent man, of either race, can account for such a disposition to leave taking possession of our people. Leading white men, whether Democrats or Republicans, are opposed to the movement. Some Democrats, for political reasons, would be glad to have the colored people go; but those who are disinterested, of all parties, regard the exodus as a calamity to both whites and blacks, and advise the colored people not to go.

Q. You mentioned that the exodus had a demoralizing effect upon labor in your section; explain in what way.—A. I will give you one instance out of many that will show you. Needham Smith, a well-to do farmer near Goldsboro', had a contract or agreement with three colored men to crop on his land this year. He supposed that he had succeeded in getting reliable and industrious tenants for the year. To my own knowledge he came to town and purchased a couple of mules for the parties, and implements with which to work the farm; for these they were to pay him, on time; he supposed that all was settled between him and the parties; they seemed to be perfectly satisfied. But on Saturday week, or Sunday week, I forget exactly which, they came and rather surprised him by telling him that they had made up their minds to go to Indiana, and requesting him to take back his mules and other things. Of course that caused him considerable expense and embarrassment. If he engages other men to work his land, there is no knowing when they will conclude to go to Indiana, too. That is an illustration of the demoralized condition into which our labor system has been thrown by this exodus movement. Our farmers don't know what to do—what preparations to make. There seems to be a lull in the exodus there—right in that vicinity—just now; but if it should receive a new start—a fresh impetus—there is no telling to what extent it might go before it would cease, or in what shape it might leave us. And it seems that no intelligent white men or colored men, Republicans or Democrats, have any means to stop it.

Q. Let me ask you in relation to the credulity of the colored people;

are they not suspicious of white people, as to what they may say on political subjects?—A. Yes, sir.

Q. And is not that suspicion carried into all the business of life?—A. Yes, sir. I think the greatest mistake that has been made by the Democrats of North Carolina in regard to the exodus has been this: if we had just advised them to go they would not have been so willing to go. We advised them not to go, and they at once suspected that we had some political purpose in view. Inasmuch as Democrats advised against the exodus, the colored people concluded that there must be something good in it.

Q. Are they not credulously disposed and much more prone to listen to a stranger, who comes to them talking philanthropy, than to believe men with whom they are acquainted?—A. Yes, sir. I have seen some of the papers circulated by this Taylor Evans. He lives in my town, and, as I said before, I did his printing for him for awhile. He has been for years a leader of the colored Republicans in our town and neighborhood. There are better men—a hundred times better men—among our colored people. But he is rather intelligent, shrewd, active, a good worker, and so manages to retain considerable influence over them. Men who want to be nominated to some petty office give him a suit of clothes or something, and he brings his men into line and does the work. I believe he helped count out my colored friend, Mr. O'Hara, here.

It seems that this man, Taylor Evans, has succeeded in getting employment from what he calls an Emigrant Aid Society. I have printed handbills for him, calling upon the colored people to meet and consider this exodus business. Meetings were held at various places in the county. At these meetings the people were told that they must leave North Carolina before May. They were told that if the Democrats should elect the next President the colored people would all have to leave North Carolina or go into slavery. All such rascally means were resorted to in order to induce the colored people to leave.

Q. You have given us the opinion of a large majority of the Democratic party, and of the more intelligent class of the colored people; what is the opinion of the white leaders of the Republican party in our State—such men as Governor Holden, and Governor Smith, and Colonel Humphrey?—A. I have conversed with Mr. Smith, and Mr. Humphrey, and Judge Stanton, and in fact with nearly all the Republican leaders of the State, and they express themselves unequivocally as being emphatically opposed to the colored people leaving our State. They hold that there is no occasion for their leaving; that the colored people have it in their own hands to elevate themselves where they are if they see fit to do so, and can make themselves as comfortable in North Carolina as in Indiana or any other State. But somehow they seem to have lost their influence over the class who are leaving. The other day, a short time before starting from home, I met an old darky, sixty-three or sixty-four years old, who was preparing to emigrate. He had been farming on the lands of the Wootens, near La Grange. I asked him, "What are you going to Indiana for, as old as you are?" He answered, "I want to better myself." I replied, "Have you not been doing well enough?" He said, "I think I can do better in Indiana." I said, "How long have you been living on Wooten's land?" He said, "About seven years." I said, "How much land did you have there?" He said he did not know, but I knew, he had about sixteen acres. I said, "Wasn't it good land?" He said, "Yes." "And with a good house on it?" "Yes." "What rent did you pay?" I asked. He said, "I didn't pay any rent." "You have lived there seven years, and never paid any

rent?" "Yes." "And had your fire-wood free?" "Yes." "And now you want to go to Indiana to do better," I said. About this time Mr. Wooten came along; he had previously told me the terms upon which the old man was living on his place, and I said to him, "You ought to have given the old man a mule and a wagon, and hired somebody to chop his wood for him, and possibly he might have staid."

The other day—I think last week, Wednesday—a crowd of people left Goldsborough for the North, and at the cars I met the old man. I said to him, "You are making a sad mistake; I think you will regret this day's work as long as you live, for you are doing better here than you possibly can do in Indiana." His wife spoke up then and said, "That is exactly what I think about it." Then the old man said, "What do they want us to come for then? They wrote for us to come on. If we cannot do better there than here, why do they tell us so?"

Q. It is stated in a circular issued by the Emigrant Aid Society of this city that the colored people are not allowed to raise vegetables or anything else upon which they can subsist during the season, but are forced to procure their necessary supplies from their landlords at fancy prices. Do you know whether such is the case or not in North Carolina?—A. I know that nothing of the sort is true in North Carolina. I have no garden, as I live in the center of the city, where ground is valuable, and consequently almost entirely occupied by buildings. So I am of necessity compelled to buy vegetables, and I buy my vegetables from colored gardeners, who not only raise all they need for their own consumption, but all they wish for sale.

Q. Is there any prohibition at all on colored people keeping vegetable gardens?—A. None at all. Mr. Otey has spoken of the landlord and tenant system of North Carolina. The law in relation to that matter was first passed by a Republican legislature. It is similar to the laborer's or mechanic's lien. The laborer or mechanic is protected by his lien. If I employ a mechanic, whether white or colored, to build me a house, he can take a lien on the property. In a similar way the landlord is protected by this landlord and tenant act. It does not affect oppressively the honest man, either white or black. It protects one race as much as the other. It interferes only with such as wish to cheat their landlords.

By Mr. WINDOM:

Q. You say you are the editor of a Democratic paper?—A. Yes, sir.

Q. How long have you been engaged in that occupation?—A. Thirteen years.

Q. Are you pretty well acquainted with the colored people of your district?—A. Very well.

Q. What is the number of the Congressional district in which you live?—A. The second.

Q. Are the colored men in that district all Republicans?—A. Yes, sir; except some few; in my own county there are, perhaps, not to exceed fifty colored men who vote the Democratic ticket.

Q. What is the Republican majority?—A. I think seven or eight hundred, white and black.

Q. How long since it has been represented in Congress by a Republican?—A. It has always been represented by a Republican until the present Congress.

Q. You mean commencing with the 4th of last March?—A. Yes, sir; since the State was redistricted, and up to the 4th of last March, the district has always been represented by a Republican.

Q. Who is the Representative in the Forty-sixth Congress?—A. Mr. Kitchen.

Q. Was he not in the last Congress—the Forty-fifth?—A. No, sir; Governor Brogden represented that district in the Forty-fifth Congress.

Q. You say the colored people have not much confidence in Democrats?—A. No, sir; I said not politically. Otherwise they come to them freely for advice, or favors, or assistance.

Q. In matters of business they look to them for advice?—A. Yes, sir; in everything except politics.

Q. Are they ready to take your advice in matters not political?—A. Yes, sir.

Q. Then why do you advance the theory that if the Democrats had advised them to go they would have staid?—A. I say now that they will take our advice in everything except political matters.

Q. But this is not political; it is industrial.—A. I think it has something of a political gloss to it.

Q. This, certainly, is a movement looking to their employment; and yet you have told us that if the Democrats had advised them to go they would have been more likely to stay.—A. I have said that they have not much faith in Democrats, in political matters.

Q. Is there any politics in that?—A. They look upon it in that light; they were told that they were wanted in Indiana to vote the Republican ticket.

Q. Who tells them that?—A. Some of their "strikers." The evidence we have is that the movement was first instigated by Republicans—whether leading Republicans or not I am not prepared to say.

Q. What is your information on that subject?—A. The first information I had was a paper that was placed in my hands, called the Greencastle Banner, in which the editor proposed to find homes for fifteen hundred colored immigrants in this State.

Q. Did it make any political suggestion in connection with that proposition?—A. I do not know that he did.

Q. That proposition was purely industrial?—A. It appeared so.

Q. No other reason was stated?—A. No, sir.

Q. Only that if they would come they would be furnished with homes?—A. That was the proposition.

Q. Was there any political suggestion there?—A. No, sir.

Q. Where else did you obtain any information on this subject?—A. The correspondence these parties who are working up the exodus movement had with regard to it was with men who, I am informed, are Republicans.

Q. Did you hear of their offering the colored people any political inducements or giving them any political reasons why they should come to Indiana?—A, No, sir. I saw that one colored man, named C. A. Scott, was very cautious in his report; he said, "You can get a few dollars more wages in Indiana, but you will have to work harder; no idle time is allowed; you will not be indulged as you are in North Carolina." He evidently had not the courage to advise them to go. He said, "If you do go, you had better not go till spring."

Q. His report was, in substance, if you are industrious, and will go to Indiana, you can do well; but the lazy had better stay in North Carolina; is there any political motive in that?—A. Apparently not. But when I asked him whom did he meet in Indianapolis, he mentioned several persons: Dr. Abbot, a colored man, Mr. Thompson, a colored man, and a white man who was one of the city officers. I asked him what their politics were, and he said they were Republicans. I asked him

how he came to seek these parties. He said he had letters of introduction to them, indorsed by representative colored men from North Carolina.

Q. Then, it is only because he had letters of introduction to and had conversation with Republicans that you suppose this movement to have a political purpose?—A. I said that I had no knowledge of my own; that I spoke only from common reports.

Q. Did he state that these Republicans whom he met in Indianapolis gave any political reason for inviting colored people to come into the State?—A. I do not know that he did.

Q. They better not come until spring, he said?—A. I think that was one thing he said.

(At this point some discussion arose as to the laws of Indiana in regard to voting, which the chairman settled by stating that there was a provision in the constitution of Indiana whereby a residence of six months in the State makes a man a voter.)

By Mr. WINDOM:

Q. Would you not have supposed that, if they wanted these men there for political purposes, he would not have asked them to postpone going there till spring?—A. I have simply told you what was said to me, or what I have heard from common report; you can draw your own inferences.

Q. Then all the reason you have for supposing this movement to have a political purpose is because this man, when he went to Indianapolis, took with him letters addressed to Republicans and while there conversed with Republicans?—A. No, sir; that is not all the reason I have. I had observed that Scott was very unwilling to communicate freely to me on the subject, suspecting that I intended to use anything that I might learn from him for publication. He is a mechanic, a carpenter, a good workman, and finds no trouble in getting employment by the leading citizens. He is looked upon as a man of character. Therefore he was very cautious what he said to me. So I had a gentleman, a friend of mine, who is a practicing physician, Dr. Cobb, call upon him. The doctor said to him, "I have read your interview in the Messenger, and am highly pleased with it;" and they conversed for some time in regard to it. Finally Dr. Cobb said, "Do you think that it is really the condition of the colored people in Indiana that they can earn more wages and will be better off in all respects than they are here?" Then Scott said, "I will tell you, doctor; I do not tell editors everything I know; but I will tell you that the real fact of the matter is this: the colored people will not stay in Indiana more than a year; the object is to get them to Indiana; and there they are now forming a land and emigration association, and they intend to carry the colored people to a large tract of land in Kansas, and in a year from now they will be taken from Indiana and carried to Kansas."

Q. That is the statement which the doctor gave you?—A. Yes, sir.

Q. How do you account for these people going there?—A. The only way I can account for it is that these agents, Evans and others, were paid to work up the fever.

Q. Do you know how they were paid?—A. No, sir; I have no idea. I have seen the evidence of Mr. Dukehart, where he says he pays Evans a dollar a head, and Evans has not denied it.

Q. You do not know of any other reason?—A. I stated that since that I had a letter placed in my hand from Nathan Wade, in which he asks for money to come home; and I read that letter to Taylor Evans,

and I said, "If you have any conscience at all you would quit this business, sending th se people there to starve;" and he said, "I am just employed by the Emigration Aid Society;" and he said to me, "If you were employed to do a certain work, wouldn't you do your duty?"

Q. He said he was employed by the Emigration Aid Society?—A. Yes, sir; and he says, "If you were employed to do a thing, wouldn't you do your duty?" I asked him if he knew of their condition there. He said he didn't know anything of their condition there. I said, "Why don't you go there and see to it?" He said he had only money enough to go to Washington and turn back.

Q. I see in this newspaper where Ex-Judge W. J. Clarke has started a paper called The Signal, and where he states that a negro accused of a crime is convicted on half the evidence that it takes to convict a white man.—A. My answer is that there is no truth in the charge; that it is false. My answer is here in this copy of my paper.

INFAMOUS DEFAMATIONS.

Our attention was recently directed to a paragraph taken from an article in ex-Judge W. J. Clarke's paper, the Signal, in which the ex-judge charges that in many of our eastern counties "the colored man is excluded from the jury-box because of his color," and, further, that "a negro accused of crime is convicted on half the evidence which is necessary to convict a white man." This charge, coming whence it may, is simply infamous, and the only excuse we can find for the false declaration is that the author thereof may have reached the petulance of age that is the early blossom of senility, and that his faculties are so abated that he may plead the infirmities of years for having given utterance to so vile a slander against our people.

There is no truth in the charge, so far as the inferior courts of the counties of Wayne and Lenoir are concerned, which his ex-judgeship delights in pointing out so conspicuously in connection with what we have quoted from his article, and the reckless imputation, in manner and in matter, is simply a fabrication, a piece of arrogance, or, in charity, let us hope, a thoughtless license of speech.

Our Kinston contemporary has already spoken its protest as far as Lenoir County is concerned, and the Messenger does so in behalf of Wayne County. Our inferior court is presided over by three most honorable gentlemen, and its worthy solicitor is as generous as he is unbiased in the discharge of his unpleasant duties, alike to white and black. All who know the presiding justice, old Maj. John C. Slocumb, know him to be a high-toned, upright, Christian gentleman, as such respected by both white and black, and what we here say of him we can also apply in the strictest sense to his associates upon the bench, Messrs. L. G. Pearsall and F. I. Becton. Mr. I. F. Dortch, the able solicitor, has the confidence of our citizens, and discharges his duties with an eye to mercy rather than bias towards colored offenders, and we could cite many instances in evidence of this fact. Again, the charge that colored men are being excluded from juries is not true, especially when applied to Wayne County inferior court. We are officially assured that there has not been a jury empaneled for several terms but two or more colored men were on it, except when set aside by the defendant in the case. The State has hardly ever rejected one.

No, there is no oppression of the colored people in our courts of justice, and, lastly, our readers will agree with us that such imputations come with peculiar bad grace from the pen of ex-Judge Clarke, his judicial record considered, no matter whether it be intended as a "puff for show" or a "field-bat" for political ends.

Q. It is a fact, however, that it is claimed by papers in your own State that such things exist?—A. No, sir; it is not.

Q. Is not that one of your North Carolina papers?—A. Yes, sir.

Q. Doesn't the editor claim it so?—A. Yes, sir; he is a Republican, and edits a Republican paper.

Q. Then you think a Republican cannot tell the truth?—A. Yes, sir, he can; but this is not true. I was speaking awhile ago of the court in one county, and I wish to say that I am not at all in favor of the inferior courts, and I advocated that criminal courts should be established in their place. Yet we have most excellent gentlemen, three highly-esteemed gentlemen, on the bench, one who is an old Christian gentle-

man, a Methodist of lifetime standing, who are on our bench, and they are generally liked by both white and black.

Q. Isn't there difference of opinion in North Carolina as to whether the negroes have all their rights in the courts?—A. There are some demagogues who want office who make that charge, but intelligent Republicans do not make that charge, and the ignorant portion of the colored people are ready to believe that they have some grievances when it is continually told to them by these men. They believe they are wronged in the courts, but those who know and understand the situation do not think so. For those who do not get an attorney one is appointed for him, and they generally take an appeal from the decision if he is not fairly treated.

Q. Well, then, Mr. Bonitz, isn't there a difference between the Republican demagogues and the Democratic patriots as to this fact?—A. Yes, sir; but there are demagogues in both parties.

Q. Well, some of these Republicans do hold so?—A. Yes, sir.

Q. The North State is a paper published in your State?—A. Yes, sir. I am exchanging with it.

Q. What does it think about it?—A. I do not know, sir. I am not very familiar with that section, as it is some distance from my place to Greensborough.

Q. Do you know anything against the editor of that paper?—A. I think the editor is Mr. Keogh.

Senator VANCE. No, it is not.

The WITNESS. I was under the impression it was Keogh; that is the reason I stated what I did; but I look upon that paper as being a good paper.

Q. (By Senator WINDOM.) If he says the negroes are not fairly treated in the matter of juries, do you think that he does that from a false motive, or that he is simply mistaken as to his judgment?—A. I think he is doing wrong to single out rare cases and charge them as being the rule. I might cite the case of Mechin, and say that was a hard sentence; but the general character of the person is taken into account in the courts in imposing sentences.

Q. I find that this gentleman of whom you spoke so well, and who edits this paper, says:

In the year 1870 the Democrats obtained control of the legislature for the first time since the war. It is well understood that their victory was won by the aid of the ku-klux, and was the result of the bloody outrages committed by that order during the two or three years preceding that election. This order and kindred organizations, which had for their common object the suppression or control of the votes of the colored people, were disbanded. Prosecutions against many members of these orders had already been instituted in the courts of the United States, and murderers of colored people, and Republicans could no longer expect that immunity which had been so generously and so invariably extended to them by the State courts. It was believed that the work so well begun could be accomplished just as effectually and far more safely through the legislature, many of whom were members of the different secret orders organized to prevent negro supremacy, and many others elected by their influence and heartily sympathizing with them. In other words, the Democrats, finding that they could not deprive the colored people of the right to vote by violence without great danger to themselves, determined to accomplish this object, so dear to their hearts, *by law*. From that date the legislation of North Carolina, so far as it affects the colored people and their interests, bears the unmistakable impress of the ku-klux, and breathes the intolerant spirit of that bloody order. The first important step which the Democrats took to carry out the programme which they had laid down was to deprive the people of the right to elect their own county commissioners and magistrates, and to give the legislature the right to appoint the latter. By this act they placed the power of trying petty cases in the hands of a lot of their own ku-klux followers, who have not failed to carry out the wishes of their masters. This was felt to be a heavy blow, but it was light in comparison with what was to come. The col-

ored people might have borne, with some equanimity, the sight of a ku-klux governor and secretary of state but when they are compelled to have their lives and their liberty placed in the hands of ku-klux judges, they feel that the limit of human forbearance has been reached. One, at least, of the judges of our superior court was an active member of the ku-klux, and attained to rank and influence in the order in his own county.

It is true that he showed the white feather when the pinch came, but this very cowardice makes him the more dangerous, because he would naturally be anxious to wipe out this disgrace by more than common zeal in the service of the men whom in their hour of danger he was ready to betray to save his own skin. It is his proud boast that he once *shot a "nigger" in the back in* SELF DEFENCE, and he never has forgiven the "nigger" for it to this day. There are others of our judges who, if not members of the ku-klux, were in full sympathy with them. Here, then, we have a view of the whole system—a ku-klux legislature to make the laws, a ku-klux solicitor to prosecute, a ku-klux jury to try the case, and a ku-klux judge to pass sentence; men who have, all of them, taken a solemn oath to exert their power to keep down the colored people. When we add to this the notorious fact that these men and their friends believe that "niggers" have no right to vote, and that the placing of the ballot in the hands of the colored people was an outrage on the entire South, and was done on purpose to humiliate Southern men, we can see that this system is a far more formidable engine of oppression than any open violence, because *its work is done under the forms of law.*

A. With your permission I would like to make an explanation. So far as his statement about the taking of the right of suffrage from the people—the right of electing their own officers, I will state that previous to the last constitution we had the most miserable and deplorable state of county governments. For instance, in our own county we had a bad government; the county bonds were almost worthless, and the county finances were in the hands of speculators and brokers in the court-house, and the warrants were not worth forty cents on the dollar. The jurors could not get a dollar for sitting on the juries, and not a dollar of claim against the county could be collected. We had ignorant people on the courts and for magistrates, and came frequently near having difficulties growing out of these facts. One that I know of was a colored magistrate who could not read and write. He was in a colored township, where the population was largely colored, and he was a notorious character. Yet the colored people elected him to any office that he wanted, either to the legislature or any other office that he aspired to. He abused his influence, and in several cases took bribes to decide the cases before him—in two or three cases. He would order wild young colored men to take their guns and go and arrest white men without a warrant. And all this kind of thing caused the reorganization of these county governments. The leading republicans desired it in many instances, and preferred the legislature to appoint the magistrates. It was the desire to get back to the old system before the war, because it was necessary to all who owned property to have it fairly assessed and taxed, and the money applied to legitimate purposes.

Q. My desire is to ask you if there are not differences of opinion between some people of the State on that subject?—A. Yes, sir; there are.

By Senator BLAIR:

Q. I observe that you stated there was no discrimination between the races in the courts.—A. No, sir; there is no discrimination.

Q. You do understand that there is a very substantial difference between the penal laws of North Carolina and most Northern States in regard to the punishment of offences?—A. I do not think so.

Q. Do you understand that in Indiana the stealing of seventy-five cents is punished in the same way as in North Carolina?—A. If you had such loose moral characters.

Q. No, no; I am simply asking if it is so.—A. No, sir; I think not.

Q. Is it so that the penal laws of Indiana and the Northern States generally are more favorable to petty offences than in North Carolina?—A. Yes, sir; I believe so, and yet our courts have as much to do as they can in trying these cases.

Q. I am not asserting that your laws are not necessary there, but I am speaking of the fact that there is a great difference between the laws of your State and that of most Northern States.

Senator VOORHEES. I will save you the trouble, Mr. BLAIR, of questioning Mr. Bonitz with regard to the laws of Indiana. We have plenty of evidence here at hand upon that subject, and I will save you the trouble of examining him upon it.

Senator BLAIR. How many instances have you seen of men sent to the penitentiary five years for stealing seventy five cents worth of property? What do you know of anything of that kind?

Senator VOORHEES. I will prove that the same thing is done in Indiana just as soon as you get through with the witness. I will prove that petit larceny is punished with as severe penalties almost in the State of Indiana as in North Carolina. There are plenty of witnesses to prove it; two prosecuting attorneys will prove it.

Q. (By Senator BLAIR.) What was your understanding upon this subject before you got your understanding now from the chairman?—A. I know nothing about the laws of the Northern States, except what information I received by reading reports in my exchanges of trials and convictions there. Of course I admit there is a diversity of penalties inflicted upon the same offences throughout the United States. I have seen in the New York courts where a party has stolen thousands of dollars and gotten off with one year in the penitentiary, but in our courts where penalties are very severe they are generally penalties inflicted on old offenders. If they are first offences probably they will be let off on the payment of costs. If we had less severe penalties in our State I do not see how we could get along with our courts.

Q. I was not asking you as to that. I am getting at the state of mind of the people there. Isn't it the understanding that the punishments are less severe in the Northern States than in the Southern States?—A. The colored people have been made to believe that, and that is the reason some of them are going to the North.

Q. That would be a reason which would operate on white as well as black, would it not?—A. Yes, sir; of course it would.

Q. Still you say there is no discrimination between the races?—A. No, sir; there is no discrimination.

Q. But the belief is that the laws are more liberal in Indiana than in North Carolina?—A. Yes, sir.

Q. And that accounts for the exodus to some extent?—A. Yes, sir.

Q. That is all.

The WITNESS. While I want to protest that I am not a Republican, yet I also want to protest that when you speak of the disfranchisement of the parties for larceny in my State as being a law that operates harshly on the Republicans I want to say that the Republican party of my State are not all rogues.

By Senator VANCE:

Q. Who was the prosecuting attorney in the second district?—A. He was a colored man named Collins.

Q. Who is the prosecuting officer now?—A. Swift Calloway; he is the first prosecuting officer who is a Democrat that we had in our district.

TESTIMONY OF JOHN E. LAMB.

JOHN E. LAMB sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Terre Haute, Vigo County, Indiana.

Q. You were born there, I believe?—A. Yes, sir.

Q. What is your occupation?—A. Practicing law.

Q. How long have you been practicing law?—A. About five years.

Q. State what official positions you have held in your profession?—A. I was prosecuting attorney in my district for three and a half years.

Q. What counties were embraced in your district?—A. Vigo and Sullivan.

Q. You were three and a half years prosecuting attorney?—A. Yes, sir; once by appointment and once by election.

Q. That is of the circuit court?—A. Yes, sir.

Q. State, Mr. Lamb, whether your acquaintance is very general in the county in which you live, and especially in Sullivan County?—A. Yes, sir; I know them very well, perhaps as well as anybody in Sullivan County, and especially do I know the people of my own county.

Q. State what ward you live in, in the city of Terre Haute?—A. In the third ward.

Q. What proportion of the colored population of the city reside in that ward?—A. Not quite one-half.

Q. There are more in that ward than in any other ward of the city?—A. Yes, sir; twice as many.

Q. How many colored voters are there in Vigo County?—A. Between four and five hundred.

Q. Making the population about how many in that county?—A. Making, I believe, five—to count but one voter, and a great many of them are young men—I should say two thousand colored people in the county.

Q. Mr. Lamb, the examination of the last witness closed on questions concerning the penal laws of Indiana and North Carolina; state if you are familiar with the penal laws of Indiana?—A. Yes, sir; I am.

Q. State what penalty can be inflicted in our courts for petit larceny?—A. Well, sir, petit larceny in our State is an offence defined by statute, and consists of stealing any property of any value not exceeding $15, and is punishable by fine not exceeding $500 and confinement in the penitentiary not more than three years, or in the common jail for any time less than one year.

Q. How about disfranchisement?—A. They can be disfranchised for any purpose not more than fourteen years.

Q. For petit larceny they can be imprisoned for three years and disfranchised fourteen?—A. Yes, sir.

Q. State if you, as prosecuting attorney, have seen any cases of that kind in your experience.—A. I sent a white man to the penitentiary for two years for stealing a bottle of whisky and an old hat.

Q. The value of those articles was not equal to seventy-five cents, was it?—A. No, sir; I don't think it was. But if you will allow me to say it, I think the man went to the penitentiary on general principles.

Q. He was a bad man?—A. Yes, sir; everybody was ready to send him there whenever they got a chance.

Q. There is no trouble, however, about sending a man to the penitentiary for stealing seventy-five cents if he is convicted?—A. No, sir.

Q. Was there any disfranchisement?—A. I think two years, the same

as the term in the penitentiary. That was in Sullivan County, where the Democratic majority is 1,300.

Q. The man was tried by a Democratic jury?—A. I cannot say as to the composition of that jury, but I do not believe you can get a jury in that county without two-thirds of them being Democrats.

Q. He was a Democrat himself, wasn't he?—A. Yes, sir.

Q. And it was a Democratic court?—A. Yes, sir.

Q. And you yourself are a Democrat?—A. Yes, sir.

Q. And you sent him to the penitentiary for two years and disfranchised him for two?—A. Yes, sir. Mr. Kelley has corrected me as to that; it was for two years.

Q. So if these North Carolina people think they are going to a land where there is a more lenient penal law than they have in North Carolina, they are mistaken?—A. Yes, sir; unless the penalty can be increased to five years down there, as one of the witnesses stated.

Q. Now, I want to know what you know, if anything, on the subject of these people coming into our county; how many have been brought there?—A. Well, I should say, up to the time I left home, Monday afternoon, there had come into Vigo County between one hundred and fifty and two hundred people, men, women, and children. Besides this number, there have been perhaps forty or fifty come to Terre Haute, and taken to Parke County and Rockville, twenty or twenty-five miles above there.

Q. Who took them up there?—A. I cannot say who took them. I know who sent them. It was Mr. Walker, the mail agent at Terre Haute, at the depot.

Q. Who is Mr. Walker?—A. He is the mail agent at the depot.

Q. Is he a prominent colored politician?—A. He is the most prominent man among them.

Q. Where are those people who have been brought to Vigo County?—A. A number of them are standing on the streets, young men, and there are a number of boys among them; there are men, women, and children—men who are the husbands of women, I suppose—who are quartered now in what is known as the new African Methodist Episcopal church, down in the third ward.

Q. How many of them are housed in that church?—A. Well, I think on that day there were forty or fifty.

Q. How were they being fed?—A. By the charity of the people round about there.

Q. What measures were taken to raise money for them to buy them something to eat?—A. Ten days ago there was a meeting of the colored people to do something about it. I do not know the purposes of the meeting further than it all ended in a row in trying to raise a committee. They failed to do so. The better class of colored people in our State are opposed to the movement. Nobody but Walker has taken any prominence in it since they came there without food or means. I think there is some sort of organization gotten up on Sunday, some sort of relief society to help them. Some of them came there on Friday night and some Saturday and Monday. I saw some of them, with baskets on their arms, looking for food; I saw several of them who stopped me and asked me for money. Some of them were rather well dressed and well-behaved looking people, but they had no money and nothing to eat.

Q. What proportion of those who have reached Terre Haute have received employment?—A. Very few. I know that some of them have been employed. Mr. Walker has interested in getting them employed; *I do not think* that others have. The wages for colored people are so

low, and there are enough of our own people to fill all the positions, that they cannot make more than ten to twelve dollars with board. You know of cases, and so do I, where they have been paid in good families that much, but never more. They cannot get work, and several of them told me that they had been told they would have to wait until spring to get work on the farms.

Q. I know your full acquaintance with nearly everybody in Vigo County; from that acquaintance with the farmers of Vigo County, will you tell this committee whether there is any demand for these people or for any laborers in that county at this time?—A. I am well acquainted with the farmers of the county and in our township, and I never heard of any such demand, and I think if there was such a demand I would know of it.

Q. What could a laboring man get to do starting out to get a day's work, white or colored, at this season of the year, especially in Vigo County?—A. I do not see how he could work at all, unless he worked for nothing; of course he might work for his board; if there was any work for him to do, maybe he would get fifty cents a day for a day's work. There are plenty of men, I believe, in Vigo County for $10 per month, and glad to get it in the winter time.

Q. Did you happen to talk to trustee Abbott before you left home?—A. No, sir; I did not.

Q. What is your information and knowledge of people wanting employment there and not being able to get it?—A. I do not know as I can say, except that men have been coming to me for the last six months asking for help and for work, and if they could not get work they needed charity.

Q. Isn't it a common and a constant thing?—A. Yes, sir.

Q. State in regard to our county, whether it is an old, well-settled and cultivated county, or a new county demanding labor to clear it up and put it under cultivation.—A. It is an old county, a good agricultural county, and well populated, and I suppose in the seventy or ninety counties of our State there is not one as densely populated as it.

Q. It was settled in 1812, I believe?—A. Yes, and has about 30,000 people in it.

Q. Do you know what became of those emigrants who were taken up into Parke County?—A. No, sir; I don't think they got employment, and for those I think they made arrangements up there in the Quaker settlement, up near Annapolis.

Q. That is a heavy Republican county, is it not, Parke County?—A. Yes, sir.

Q. And you say they took fifty or sixty up there?—A. Yes, sir; but they were not all voters.

Q. You stated that there were not more than fifty or sixty who had gone to Vigo County?—A. I have heard of only a few; some may get a day's work, but I do not know as to that. I know there are six or seven employed by Republican politicians there.

Q. Who are they?—A. There are two or three men and women employed by Mr. Beauchamp, a Republican politician, who was consul at Aix-la-Chapelle and Cologne. He has not been back long. Another politician, Mr. Boudinot, I think has one.

Q. You may give such evidence as you have, that this is a political movement, so far as the State is concerned, or any other facts that you many have concerning the exodus.—A. I do not know what reasons they have for immigration to other parts of the State; but it has impressed me as a political movement for one reason—that when the

people came there they were not met by people regardless of politics, or by the better classes of people, even of the colored people, but they were met by these United States officials who have been active in getting them to come there, and getting places and taking care of them. I heard of this man Walker sending a circular to the South some ten days ago.

Q. Did you see this circular?—A. No, sir; I did not read it. But I know that those Republicans who are going about in Terre Haute trying to get employment for these people are favoring the movement; and I know the further fact that a gentleman, a very prominent Republican from Terre Haute, told me last Saturday that Walker came to him and said they should make room for a large number of them. It is a desideratum for them to come there. They are trying to get them in Terre Haute, so located as to carry my ward at the spring elections. From these facts, and others that I knew, and because I knew they would not fare as well there as they would in North Carolina, after they told me that they were getting from ten to twelve dollars a month in North Carolina, and that they were well treated, and that none of them had any complaint against their treatment in North Carolina, I thought they had better stay there than come to Indiana. I will state that I never heard of any railroad company being interested in the movement at all before I read the evidence before this committee the other day. I did not know of any motive of that kind for the exodus.

By Senator BLAIR:

Q. You say you were a prosecuting officer for three and a half years?—A. Yes, sir.

Q. For the entire county?—A. For two counties. We have a district, and mine is the fourteenth judicial district.

Q. What county do you live in?—A. The county I live in is Vigo, and has fifty thousand people.

Q. What of the other county?—A. I should say Sullivan County has twenty thousand people. I should think there are seventy thousand in the district.

Q. Your district comprises some large places. What is the population of Terre Haute?—A. We polled five thousand votes in Terre Haute, and I suppose the population, according to the ratio allowed for votes, would be about twenty-five thousand people.

Q. Are there any other large places in your district?—A. No, sir; Sullivan has about two thousand to twenty-five hundred voters.

Q. I understood you to state the population at two thousand, for the negroes, in Vigo County?—A. Yes, sir.

Q. Are there as many there as in other counties?—A. No, sir; there is not a hundred in Sullivan County.

Q. Was your practice very extensive while you were prosecuting attorney?—A. Yes, sir; we have a criminal court in our county, in Vigo County, and causes are tried in the criminal court by the criminal prosecuting attorney; so the bulk of my practice, as public prosecuting attorney, was in Sullivan County.

Q. You had a good knowledge, however, of the criminal practice in the district?—A. Yes, sir; I suppose I had, for I was prosecuting in Sullivan County, but that did not prevent me from defending a man before the criminal court at home.

Q. You were appointed prosecuting attorney when?—A. When I was twenty-one years of age. I am twenty seven now; that was six years ago.

Q. Your observation of affairs in that part of the State runs from that time?—A. Yes, sir.

Q. You have stated the law for the punishment of petit larceny, such as stealing an amount under fifteen dollars?—A. Yes, sir.

Q. You have said that it was punished by imprisonment for three years?—A. Three years; yes, sir.

Q. And disfranchisement for two years?—A. No, sir; I was mistaken about that. Mr. Kelly has refreshed my mind. It is disfranchisement for the same time as the term of imprisonment.

Q. And a fine not exceeding three hundred dollars?—A. Five hundred, sir.

Q. And that is the extreme of the penalty?—A. That is the extreme of the penalty.

Q. Have you ever known, in the whole of your criminal practice or observation, a man to be put into the State's prison for stealing a chicken in Indiana?—A. Yes, I think I do; I am sorry to say it, but I think I do, Senator.

Q. You think you recollect a single instance, and you think that instance was a dishonor to the State?—A. Yes, sir. There was another case which exercised the people of Indiana, and that was where a colored man was convicted of marrying a white woman.

Q. Do you know of any case of a man's being put into the penitentiary for stealing property of a less value than a dollar?—A. Yes, sir.

Q. I mean with the exception of that man who stole a bottle of whisky and an old hat?—A. Yes, sir, I do. I know a man who was sent to the penitentiary for stealing an old coat.

Q. What was the proof as to the value of it?—A. I saw the coat, and some said it was worth sixty cents and some said it was worth a dollar.

Q. Was it a jury case?—A. Yes, sir.

Q. Were there any particular circumstances about it to aggravate the offense?—A. No, sir; I think not; I think he was tried by a jury, and Mr. Kelly prosecuted the case.

Q. What was the length of the sentence?—A. One year.

Q. Was there no fine?—A. Yes, sir; I think there was a fine, and disfranchisement too; but that, Senator, is only a formal thing; I will say that, as to the laws of Indiana, if a fellow gets out of the penitentiary he goes elsewhere and votes all the same.

Q. You mean that he was imprisoned in a penitentiary or a jail?—A. Yes, sir.

Q. That is one case which you know of; did he serve his term out?—A. Yes, sir.

Q. Are there any others that you can give us?—A. I say, Senator, it is not a common occurrence with us to have a man convicted in that way.

Q. But such cases occur, and you think they are disgraceful to the State?—A. Really, I do not like them; but the fact is where they are sent to the penitentiary for offenses of that kind, it is generally because the party is a bad man and the people want to get rid of him.

Q. That is because he is a hard, common character?—A. Yes, sir.

By Senator WINDOM:

Q. You spoke of labor being hard to find; do you know of any threats by Democrats against people employing these immigrants from North Carolina?—A. No, sir; I do not know of anything of the kind; so far as my county is concerned nothing has been said to them; in my county the Democrats are friendly to them; they vote the Democratic ticket in my ward, I know.

Q. You are in politics yourself?—A. Yes, sir, somewhat; but in speaking of that fact I was not speaking of the people who came there; I am speaking of those in Terre Haute, who have lived there nearly all of their lives; I object as much as anybody to people being imported there to take charge of my State.

Q. Don't you think that after a while they will fall in with the others and be as prosperous as they are?—A. I think the only influence that they would fall in with now, in their condition, is money, and that the Republicans have most of that.

Q. What is the Republican majority in your county?—A. Our county is in rather a different position from what it has been; last fall the Republicans were demoralized and they were beaten five hundred by the Greenbackers, and we beat the Greenbackers six hundred and the Republicans eleven hundred.

Q. Where did these people who came there come from?—A. They came from North Carolina, from about Goldsborough, so far as I could learn from those of whom I asked the question.

Q. Did you know of any coming there from other places?—A. The first of them came from another place, but I cannot recollect the name.

Q. As a politician, do you not think that if the Republicans of the State were trying to colonize it with negroes they would take them from some nearer place than North Carolina?—A. I think it is the biggest fool thing I ever knew any party to do.

Q. Do you think, as a matter of expense, that they would take them from Kentucky, for instance, before they would from North Carolina?—A. I think probably they would. It would be reasonable for them to do it.

Q. Do you think there is any political movement in this exodus?—A. I cannot see any other reason for it, except it be a political one.

Q. You think the Republican party would go to North Carolina, at a cost of $20, to get a voter, and have him bring his wife, children, and all with him, when they could go to Kentucky and get voters at a much less price?—A. Well, sir, I have heard Republicans state that it was a very foolish thing, but that they were going to bring enough in there, into Indiana, to carry the State.

Q. Who did you hear make that statement?—A. I think the Republicans around Terre Haute have made it, and Mr. Langsdale, the editor of the Greencastle Banner. I think there are parties here who have heard him say that.

Q. Do you think that they would bring these men from North Carolina merely for the purpose of making voters out of them when they could be gotten in Kentucky or Tennessee at a much less cost?—A. I think so. The men who are doing this sort of thing might do very foolish things in connection with it.

Q. Isn't it much easier to get men from across the river than it is to come around by Washington and go to North Carolina for them?—A. Of course it is easy enough to get them across the river and vote them and let them go back, and I think they do it sometimes.

Q. You have tried it on yourself, haven't you, with Democratic white voters?—A. I have seen something of the kind stated in Republican newspapers.

Q. Don't you know that that has been done?—A. I have not done anything of that kind. I have had it charged, but I never knew of any such thing being done.

Q. You say from one hundred and fifty to two hundred have come

into Vigo County; how many of them were voters?—A. I should say, perhaps, forty or fifty.

Q. You think, in all, there are some forty or fifty voters?—A. Yes, sir; a great many of them don't seem to be voters. But the trouble with colored men is, that you can't tell anything about it. A great many of them vote before they are twenty-one years of age. My judgment is that there are forty or fifty who are over twenty-one years of age.

Q. Well, do that forty or fifty create any consternation in the Democratic party out there?—A. No, sir; but they create a great deal of discussion, because the people out there don't agree that people should be brought there in that condition.

Q. How do you know they are brought there?—A. I know they were brought there.

Q. You don't think they came there of their own accord?—A. Well, sir, we can't think so when they tell us that their fare was paid.

Q. You spoke of some government officer of Terre Haute who was assisting these people, a Mr. Walker; is he white or colored?—A. He is a colored man.

Q. He was just looking after them and taking care of them, wasn't he?—A. I do not think he is doing much for them. When I left, the most that was being done for them was by some colored barbers, men who belong to our own people.

Q. Who is this man Walker?—A. He carries the mail from the depot to the post-office and back. He is appointed under the government, and receives forty or fifty dollars a month.

Q. Did you ever talk with him about the exodus?—A. No, sir.

Q. What is his name?—A. James H. Walker.

Q. What other Republican have you heard talk about this as a Republican political movement?—A. I have given you the names of all that I have heard.

Q. Just give them to us again.—A. As I stated, you asked me for my reasons for believing this was a political movement. I stated, from the first place, considering that there was no need of these people there, and they could do no better there than in North Carolina, and from the fact that nobody took any interest in them, in our State at least, and in my county, except the Republicans and office-holders, I thought it was a Republican movement. These people were brought there, and had no money to live on when they got there; and I thought these facts justified the belief that they were induced to come there on account of their votes.

Q. Who are these Republicans and office-holders who have taken an interest in them?—A. Well, sir, these things are done in such a way and so much more secretly than anything else, that you cannot exactly state who is doing it. What I have said, I suspect more than anything else. I saw Walker and Beechum consulting about it, and I find that men and women are down at Beechum's working; and putting this and that together, it looks very much to me like a scheme.

Q. It is a sort of matter of imagination or suspicion, then?—A. Well, yes, sir. I have given you all the facts that I have.

Q. And all your information is that the Republicans and officials there are the only people who have been taking an interest in it?—A. Yes, sir.

Q. Have they done anything more than to find places for them when they got there?—A. Yes, sir; they have done that for some of them; but so far as supplying them now is concerned, there was none of that being done when I left home.

Q. Don't you know that it is generally considered that the Republicans are more friendly to the negroes than the Democrats, and that they naturally go to them for help?—A. I do not think it is true in our State.

Q. Then the Democrats treat them the same as the Republicans?—A. Yes, sir; I think they are just as well treated by the Democrats as by the Republicans.

Q. Where do the complaints against the exodus come from mostly?—A. From the Democrats; but I say I have yet to see a man—a white man—either Democrat or a Republican—who favors this movement.

Q. Isn't it mostly favored among the colored people?—A. No, sir; the colored people do not like this man Walker. They are against him, and don't follow him, because they did not approve of his being appointed there.

Q. They had a meeting there, did they not, to take measures for getting places for these people?—A. Yes, sir; and it broke up in a row.

Q. What grounds have the Republicans for being against them?—A. They say there is no employment, and that it is a common and thriftless class of people who are coming there.

TESTIMONY OF ALBERT J. KELLY.

ALBERT J. KELLY sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Terre Haute.

Q. What is your profession?—A. Practicing law.

Q. How long have you been a practicing lawyer?—A. I was admitted to the bar in 1869, and have been practicing for ten years.

Q. State what official position you hold at this time in Indiana.—A. I am prosecuting attorney in the criminal court of Vigo County.

Q. State how long you have been in that position.—A. Nearly six years.

Q. How often do you have the grand jury together within the year in that county?—A. The first Monday in every month.

Q. How many times is the grand jury drawn?—A. Twice; at the April and October terms—every six months.

Q. How much of the time every year is the criminal court in session trying criminal cases?—A. Perhaps two-thirds of the year.

Q. Your county has a large town—the city of Terre Haute—in it?—A. Yes, sir.

Q. And you have a large amount of business in your court?—A. Yes, sir.

Q. State the average number of convictions in your court.—A. Well, sir, about a year ago, when I was a candidate for re-election, I made a statement of the average number of convictions in our court, and it averaged a hundred a year.

Q. Do you mean for felony?—A. Yes, sir.

Q. State what penalty is in Indiana for felonies.—A. For petit larceny it is fifteen years; it used to be five, but it has been enlarged since that time.

Q. State what you know of convictions for petit larceny.—A. I know *that I have been* criticised, and the court has also, for sending people to

the penitentiary. We sometimes have a man up for grand larceny and whom the jury does not convict, so that he can be sent to the penitentiary. Sometimes the State consents to a *nolle* for grand larceny, and it takes a verdict for petit larceny, and the offender is sent to jail; but it is possible to send a man to jail or to the penitentiary for petit larceny.

Q. Where the sentence is reduced from grand larceny to petit larceny it is generally on account of the previous good character of the defendant?—A. Yes, sir; and sometimes the stealing is of something very trivial; but there are people whom the whole community are against, and when they steal and are caught they are sent to the penitentiary.

Q. That not being their first offense, and it being to the interest of good society to have them out of the way, they are sent to the penitentiary?—A. Yes, sir; and in our State when they go on the witness stand we put in evidence their moral character.

Q. And when they are men of bad character the jury are liable to give them the full extent of the penalty?—A. Yes, sir; and in Vigo County especially.

Q. It has been attempted to be shown here that these people were faring badly in the courts in North Carolina; that they would have an easier time in Indiana; what do you think about that?—A. Well, sir, I can illustrate. There was a darky who lived in the sixth ward, known as Bagdad, and who nobody could keep chickens for. You would buy them one day and they would go the next morning; but he was caught with some chickens in a bag that he had just stolen, and was sent to the penitentiary and disfranchised, I believe, for two years.

Q. That was for stealing one or two chickens?—A. I think there were several in his bag.

Q. You do not think it was a disgrace to the State to send that man to the penitentiary?—A. No, sir; but I thought I should do my duty in the case, and the Republican papers there in the town thought it was a good idea to catch him and send him to the penitentiary. We got rid of him in that way, and I think everybody, white and Republican, were glad of it.

Q. Can you give us any other instance of the same character?—A. Another instance was the sending of a fellow to the penitentiary for stealing a coat. There were some difficulties in proving the value of the coat, but I believe it was an old soldier or army coat.

Q. You sent him to the penitentiary?—A. Yes, sir.

Q. For what length of time?—A. We sent him for a year.

Q. What was the value of the coat?—A. It was proven to be worth about a dollar, I believe.

Q. Why did they send him to the penitentiary for stealing a coat that was only worth a dollar?—A. Because he was a bad man, and everybody thought he ought to go to the penitentiary.

Q. In the administration of the law there, Mr. Kelly, do the whites and blacks get the same consideration?—A. Yes, sir.

Q. And these people from North Carolina will have to take the same penalties as other people?—A. Yes, sir; not only that, but the fact of their being from North Carolina I think would be a little against them.

Q. Did you ever see a colored man on a jury in Vigo County?—A. No, sir.

Q. Did you ever see one on the grand jury?—A. No, sir.

Q. Did you ever see a colored justice of the peace in Vigo County?—A. No, sir; never.

Q. And Vigo County is one of the counties in which for our State

there is a large colored population?—A. Yes, sir; and there are some very good people among them.

Q. Are there tax-payers and men who own their own farms?—A. Yes, sir; they are people who are respected by everybody, who attend to their own business and make their own living. I will say further that there are four or five colored men in the penitentiary for life for murder, and I expect an equal number of white men. There have been some sent from Vigo County in the last few years.

Q. What are the long terms of confinement, if any?—A. There was one man, for manslaughter, sent for 18 years just last summer. There was a fellow, a negro, charged by a woman whose character was brought in question. He was tried and convicted and sent for seven years.

Q. That was for trying to commit a rape on a woman of his own race and of doubtful virtue?—A. Yes, sir; and I think he was sent to the penitentiary more on account of his bad character than on account of the aggravated nature of his offense. If he had been a man of good character I do not think he would have gone at all.

Q. You may state what you know, if anything, of a colored man being sent to the penitentiary for marrying a white woman?—A. I had five colored men indicted for intermarrying with white women. One was convicted. A woman, one of them, came in and said she had a little negro blood in her. One of them could not swear that she had any negro blood in her veins; she had red hair and that made it impossible to be mistaken. Nobody who saw her would mistake that she was a white woman. Our law says that any person with one-eighth negro blood shall not be allowed to intermarry with whites. He was the only one that we could convict.

Q. What was his name?—A. His name was Nelson.

Q. What about his pardon?—A. It has been favored and asked for. There has been an effort to get him pardoned.

Q. What about myself?—A. Yes, sir; you went to Governor Williams and tried to get him pardoned.

Q. Governor Williams refused?—A. Yes, sir.

Q. And he will not be pardoned?—A. No, sir; I think not. There was a good deal of difficulty in these cases. I think some physicians came in there to examine these women and felt their shins and said they were colored. That was done to save these men, and was approved of, because the people generally felt that they ought not to go to the penitentiary.

Q. Have you a very large acquaintance in Vigo County?—A. Yes, sir.

Q. Have you canvassed it several times?—A. Yes, sir; I have been elected three times, and have been canvassing among the people a great deal.

Q. Have you mixed with the people from the country?—A. Yes, sir; I examine many of them on the witness stand every month.

Q. What do you say as to a demand for laborers at this time in Vigo County?—A. I say there is none at all at this time.

Q. Did you ever hear of any out in the country?—A. No, sir; they complain a great deal of the large number who come to their houses for work, and who impose upon them for their charities.

Q. What township?—A. At Terre Haute, in Harrison County.

Q. Do you know the trustee?—A. Yes, sir; it is Benjamin Abbott.

Q. What are his politics?—A. He is a National.

Q. What are his duties?—A. It is his duty to oversee the poor, keep up the roads, public buildings, and bridges, and he is the general bookkeeper for the township, and attends to all their business.

Q. What is his duty as to the poor?—A. When he is satisfied that persons are residents of the township and are in a destitute condition, he has power to relieve them.

Q. State if you saw Mr. Abbott before you came on here, and give us his statement, so that we need not send for him.—A. I had a conversation with him one day, and it was not had with the expectation of my having to testify here. We were speaking about the weather, and he said it was a good thing for our people that the winter was mild, and that if it had not been so the distress would have been very great in Terre Haute. He spoke of one family in particular that was suffering, that the man had been working at a dollar a day, that his wife was sick and his children also, and that he was aiding them; that the man had a little piece of property, but was unable to make a living on account of the lack of labor and the poor wages paid, and that his action had been assailed because he had been aiding them when they had property.

Q. What did he say as to persons in the township being idle?—A. I will state this, that the street commissioner in working the streets has so many applications from idle men of our own town that he divides it up, and lets one man work this week and lie off the next, so as to give another man a chance for a week's work.

Q. And that, you say, is done in behalf of our own people?—A. Yes, sir.

Q. It was done before these people came there?—A. Yes, sir; we have only two seasons in the year when we need a large supply of laborers; that is the harvest and the corn-gathering season, and we have plenty of labor from among our own people to supply that demand.

Q. You say we have plenty of our own people?—A. Yes, sir.

Q. Please state any messages sent to you by any farmers of Vigo County on this subject.—A. I talked to Mr. Stewart of Otter Creek Township; he is a large farmer.

Q. What did he say to you to tell me?—A. He said to tell you that the county was overrun with laborers, and that there was not a day but that eight or ten came to his house and wanted work. I also talked with Mr. Butts, in Sugar Creek Township, and James Bolton, in Fayette Township, and they told me of the great number of people coming to them demanding and seeking for work.

Q. Did you acquaint yourself with the condition of these emigrants before you came on here?—A. My information is not very great on that subject. I talked to people about them, and I heard they were down at the African Methodist Episcopal church. I heard a colored man standing on the corner of Third and Ohio streets talking about it. This colored man was a stranger, and I expect he came on with them. He said they were all piled up in one room together, and it was not good for them; that if they staid down there some of them were bound to die.

Q. Were they in the church then?—A. Yes, sir; eating and sleeping there. Some of them, too, were well-dressed people, and looked as though they might do well if they had an opportunity.

Q. What proportion of them got work—employment?—A. I do not know. Lawrence Heindle and Mr. Dickerson have taken two, and this case of Mr. Beacham's—that is all I know of.

Q. Do you know this colored man Walker?—A. Yes, sir; I do.

Q. Did you see the circular he had published in the city papers there after Judge Carleton came on here?—A. Yes, sir.

Q. Did you have the interview in which he acknowledged it?—A. Yes, sir.

Q. State what number of familes he advertised for.—A. Fifteen or eighteen hundred.

Q. Do you not know that that is a fraud of the greatest possible character?—A. Yes, sir. I do know it; and I know that the best colored people of our State condemn it.

Q. You know that his course is condemned pretty generally by the people in our section without respect to party?—A. Yes, sir.

Q. Have you seen any Republican paper that condemned it?—A. No, sir.

Q. Did the Terre Haute Express condemn him or stand by him in this fraud?—A. No, sir; it rather supported him, and abused me and everybody else who came here to testify.

Q. And the Indianapolis Journal and all of them do that?—A. Yes, sir.

Q. And none of them condemn this movement and fraud on the colored people?—A. No, sir; but simply abuse this committee and all who come here to testify.

By Senator WINDOM:

Q. You don't like the Republican papers much, anyhow?—A. No, sir; I am not particularly fond of them, and I have reason for it.

Q. You read the Democratic papers?—A. Yes, sir.

Q. And you vote the Democratic ticket?—A. Yes, sir.

Q. And vote it early and often?—A. I generally vote it once every election.

Q. And you are an ardent Democrat?—A. Yes, sir.

Q. You think all the good in the country is centered in the Democratic party?—A. No, sir; I do not.

Q. Well, a larger part of it?—A. Yes, sir; I do.

Q. So far as the Republican newspapers are concerned, you do not think they speak for their side of the house?—A. I suppose they do.

Q. Have you seen any of them encourage it as a Republican movement?—A. No, sir.

Q. Do you know of anybody who has?—A. No, sir; except what I see of the matter and judge for myself.

Q. What do you judge from?—A. From the Republicans solely taking part in it; or defending those who have taken them out there.

Q. Do the Democratic papers denounce those who have been receiving them when they came there in a destitute condition?—A. Yes, sir; they have been denouncing the movement.

Q. Do the Republican papers approve of giving alms to the destitute?—A. Yes, sir.

Q. Don't you think that is Christian conduct?—A. Yes, sir; I think it is.

Q. Do the Republican papers approve of the work of those people who brought them there?—A. They have approved of the acts of Walker by defending and not disapproving of them.

Q. Have you seen where they condemned it?—A. No, sir; I hear that when some of these people came here and testified, they have been denounced, and the papers said they knew nothing of Vigo County, or of the State. That was said about one gentleman whom I know knew a great deal about it.

Q. Have you heard anything of mobs to burn the houses that had been rented to North Carolina negroes?—A. I have heard of threats of that kind, but I do not know anything about them.

Q. Have you heard threats that they should not come there?—A. I

have heard them say that they did not want them there, and that they should not continue to come.

Q. Don't you think that would decrease the demand for these laborers?—A. I should think so, as a man would naturally take care of his property.

Q. Well, anyhow, you heard of these threats being made by Democrats?—A. I did not say that. I heard that people had said that.

Q. You have talked to Republicans about this movement?—A. Yes, sir.

Q. And they objected to it.—A. Yes, sir; but they were colored Republicans.

Q. Who is Stewart? What are his politics?—A. He was a Nationalist.

Q. What was Butt's politics?—A. He was a Democrat.

Q. And Bolton's?—A. He was a Democrat.

Q. They were all Democrats who sent the messages to Senator Voorhees?—A. No, sir; I do not know of any messages sent to Senator Voorhees by anybody except Stewart.

TESTIMONY OF ROBERT VAN VALZER.

ROBERT VAN VALZER sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. In Terre Haute.

Q. What is your profession?—A. I am a dentist.

Q. What position do you hold from Vigo County?—A. A member of the legislature.

Q. Are you at this time?—A. Yes, sir.

Q. Were you elected in 1878?—A. Yes, sir.

Q. State if you have a general acquaintance with the people in that county, being their representative in the legislature.—A. I have a large acquaintance in the county.

Q. State if there is any demand that you know of for labor there, either from the inside or outside of the county.—A. None, sir. There is no demand for labor there now.

Q. I will ask you if there is not a surplus, and if people are not suffering for want of employment?—A. There is no surplus of laborers.

Q. I mean, Mr. Van Valzer, are there more laborers than can find employment?—A. O, yes, sir. I misunderstood you. There are many more laborers than can find employment; and that includes persons who have lived there, and are citizens of that town.

Q. And I understand you that many are suffering for the want of employment?—A. Yes, sir.

Q. Doctor, have you noticed this immigration that has been coming in there?—A. I have.

Q. What is the condition they are in?—A. There seem to me to be a great many of them in want of something to eat. A great many of them have been to my house begging. I live in the second ward, close to the negro church where they are quartered; and they came over there frequently to ask for something to eat.

Q. Have you been down to the church yourself?—A. No, sir; I have not.

Q. Have you had any conversation with any of them about why they

came there?—A. No, sir; not with the immigrants, but I have with ou own colored people.

Q. What is the general sentiment about it among your own colore people?—A. One, Samuel Archer, told me these people are offered fro a dollar to two dollars and a half a day for their labor, if they would come to Indiana. This promise, he said, could not be fulfilled, and he was sorry they had come.

Q. What is the general price of laborers, per month, in that section? —A. Farm laborers get from ten to twelve dollars per month.

Q. What are day laborers paid?—A. From a dollar to a dollar and a half.

Q. Not where they are boarded; what, where they board themselves? —A. Yes, sir.

Q. They get from a dollar to a dollar and a half a day, and are boarded?—A. Well, sir, farm laborers get from ten to twelve dollars a month. There is very little hiring by the day.

Q. What do you know of meetings being held to secure employment and assistance for these people; did you attend any of the meetings? —A. I did not.

Q. All classes out there have given something to help them?—A. I don't know anything about that.

Q. Have there been any appeals made in the papers for help?—A. I saw one appeal.

Q. Did you see this man Walker's circular?—A. No, sir; I did not. I saw him himself last Thursday night. He visited my office to have a tooth extracted, and he said that nineteen more of these negroes had come. I said, "Are there any others expected?" and he said that on Saturday they expected one hundred.

Q. That was last Saturday?—A. Yes, sir; and he indicated to me that he was the receiver of them. He said that some of those people were very old and some were very young.

Q. Did you have any political talk with Walker?—A. I did not.

Q. State whether you had with any other colored people there?—A. I had with another colored man. I wish I could call his name. But he was advertising for a clothing house there; I cannot remember the name; but he told me these people were brought there under misrepresentations; that they were promised two and two dollars and a half a day; and that nobody could get these wages there; that he had been living there some time and could not get it himself. I said, "Do you think they are brought here to vote for the Republican ticket?" and he said he thought so.

By Senator BLAIR:

Q. He said he thought so?—A. Yes, sir.

Q. Not that it was so, but that he thought so?—A. Yes, sir.

Q. Have you expressed any opinion yourself upon that subject?—A. No, sir; I have not.

Q. He gave no reason for his opinion?—A. No, sir; but that is the way the colloquy ran.

TESTIMONY OF M. T. LEWMAN.

M. T. LEWMAN sworn and examined.

By the CHAIRMAN:

Question. Mr. Lewman, give your name and residence to the reporte —Answer. M. T. Lewman, Greencastle, Putnam County, Indiana.

Q. What is your occupation?—A. I am at this time sheriff of the county.

Q. How long have you been sheriff?—A. I have been the sheriff for three years last fall—October perhaps.

Q. You are serving your second term?—A. I am in my fourth year, yes, sir.

Q. To dispose of one point that has been made here before we go further, please state to the committee what you know of persons convicted of felony, and sent to the penitentiary for petit larceny, and give the amounts?—A. One case that was called to my mind was that of three parties, I think, or two of the parties were sent to the penitentiary for stealing fifty cents, which they took out of a man's pocket at the fair grounds, making it a robbery that they were sent to the penitentiary for.

Q. The larceny consisted in taking fifty cents?—A. Yes, sir.

Q. And you took them to the penitentiary?—A. I am sure that I have taken nobody to the penitentiary for that low amount myself.

Q. But that was the amount in this case?—A. Yes, sir; it was fifty cents.

Q. What did they say was done with them?—A. They were taken to the penitentiary for two years.

Q. They were white people?—A. Yes, sir.

Q. There was no great outcry made about it as to any great injustice done them in that, was there?—A. No, sir; they were taken as pickpockets in the community, and were caught slipping round the fair ground.

Q. Was there any emigration of that class of people on account of that conviction?—A. No, sir; not that I heard of.

Q. Now, I want you to go on and tell what you know of this emigration of negroes from North Carolina to Putnam County. How long have you lived in that county?—A. I have lived in the neighborhood fourteen or fifteen years. I have been in Greencastle and the county off and on for twenty-five years.

Q. Have you an extensive acquaintance in that county?—A. There may be some people there who have more acquaintances than I have, but I believe I know every prominent man in the county.

Q. It is one of the rich and highly cultivated counties of the State, is it not?—A. Yes, sir; it is what is called the center of the blue-grass region, and we raise a great deal of stock in the county, and a great deal of it is in grass.

Q. State whether there is any demand amongst the farmers or anybody else in that county for labor beyond what can be supplied there at home.—A. The only demand that we have had there during the winter at all was a demand for mechanics. We had a little demand for house carpenters for a while, as there were several good buildings being put up in the town, but in the country there is no demand for labor now at all. During the planting and harvesting and gathering of the grain there is some demand, but now we have idle men there in large numbers who supply that and more than fill it. You can look out on the street at any time in Greencastle and see there white and black standing on the corners. There was a gentleman in my office not long ago who came from North Carolina to take two negroes back who had written for him to come after them. He asked me the same question, and I told him just to look out of the window or door into the street, and he, I think, counted six who were in sight, and who belonged there

By Senator VANCE:

Q. What was his name, that gentleman from North Carolina?—A. Fields, I believe; I am pretty sure that was his name.

By the CHAIRMAN:

Q. Do you know Mr. Langsdale, the editor of the Greencastle Banner?—A. Yes, sir.

Q. State what the politics of that paper is.—A. It is a Republican paper.

Q. What is Langsdale's politics?—A. Republican.

Q. What office does he hold under this administration?—A. He is postmaster.

Q. Where at?—A. At Greencastle.

Q. What sized place is Greencastle?—A. Well, sir, they claim 6,000, but I do not quite think there are that many, but I think there are 5,000, probably.

Q. It is the seat of the Indiana Asbury College, is it not?—A. Yes, sir; we have the colleges there.

Q. And the Indianapolis and St. Louis and the Vandalia roads, which are parallel roads, and the Louisville and New Albany roads cross there?—A. Yes, sir; the two first are parallel lines and the other crosses the two.

Q. Have you noticed any publications on this subject of the migration of negroes from North Carolina to Indiana in Langsdale's paper, and if so state when it was?—A. I do not know as to the time of them. The first I noticed on this subject I gave it at the time very little attention. I just thought it was one of his foolish ideas, as Langsdale was one of the extreme men in his party. We have extreme Democratic editors and extreme Radical editors out there, and so I paid very little attention to what he said. I cannot give the contents of the article, but it was in reference to the Republicans carrying the State of Indiana, either that it could be or would be carried by the importation of negroes from the South. It seems to me now that it was something of that kind. I paid no attention to it at the time, and not until some time afterwards. This first article was in italics, but I can not give the contents of it.

Q. Have you any articles that appeared in his paper with you?—A. I have a copy of a letter that was put up at his office, so I understand. The party I got it from was a negro, who said that Mr. Perry or Mr. Williams, colored gentlemen from North Carolina, gave it to him. I understand from a party who knows that it was put up in Langsdale's office. I know the party who put up the type.

Q. What is your information as to who was the party who wrote it?—A. Mr. Langsdale.

Q. Whose name is signed to it?—A. Mr. Clay, the pastor of the church, a colored church there in our town. (The witness here passed the paper to the chairman). One of the gentlemen stated that he helped to set up the type and that it was written in Mr. Langsdale's handwriting, and the name of Clay signed to it.

The CHAIRMAN. Just wait a moment, Mr. Lewman, until I ask Mr. Warnock a few questions.

TESTIMONY OF —— WARNOCK.

Mr. WARNOCK sworn and examined.

By the CHAIRMAN:

Question. (Passing the paper to the witness.) State if you ever saw that paper before?—Answer. I did.

Q. Where at?—A. In the Greencastle Banner office, while I was employed there.

Q. Are you a printer?—A. Yes, sir; I am.

Q. Did you help to set it up in that office?—A. No, sir. I saw the young man set it up.

Q. Whose handwriting was it in?—A. The handwriting closely resembled Mr. Langsdale's.

Q. Would you have taken it for Langsdale's handwriting?—A. Yes, sir.

Q. You think now that it was his handwriting?—A. Yes, sir.

By Senator WINDOM:

Q. You say it was in his handwriting?—A. No, sir; I say it looked like it.

Q. Do you know the printer who set it up?—A. Yes, sir; Mr. George W. Moreland.

Q. Do you know that it is the custom of editors to frequently write letters for their customers?—A. I do not know as to that.

By the CHAIRMAN:

Q. Mr. Langsdale had a very peculiar handwriting, had he not?—A. Yes, sir; you could not mistake it.

Q. And you say it was his?—A. Yes, sir.

By Mr. WINDOM:

Q. Who was your employer?—A. Mr. Langsdale.

Q. Are you there with Mr. Langsdale now?—A. No, sir.

Q. When did you leave there?—A. In September.

Q. What time did you say this was set up in that office? When did you see it there?—A. It was two months, I suppose, before I left—during the excitement over the exodus to Kansas.

Q. Why did you leave Mr. Langsdale's employment?—A. I was offered more money at another place.

Q. Who by?—A. Mr. Arnold, of the Star office.

Q. What are the politics of the Star?—A. It is Independent Greenback, I believe.

Q. Are you still there?—A. Yes, sir.

Q. Will you state whether the paper is for or against the exodus?—A. I suppose it is opposed to it, as most of the people are.

Q. You have had no trouble with Editor Langsdale, have you?—A. No, sir.

Q. You simply made an exodus to the Star office to better yourself?—A. Yes, sir.

TESTIMONY OF M. T. LEWMAN RESUMED.

M. T. LEWMAN recalled to the stand.

By the CHAIRMAN:

Question. Do you know Mr. Warner?—Answer. Yes, sir; I have known him since I was a boy.

Q. You may state what his standing and character are.—A. I never heard anything against him in my life, and I do not think he had any knowledge of being subpœnaed here until he got the dispatch to come.

Q. You say you got this document from a negro?—A. Yes, sir.

Q. Do you remember his name?—A. Mr. Mace, I believe.

Q. Where is he now?—A. At Greencastle.

Q. Is he an agent of this emigrant business?—A. No, sir; he is a resident negro there, and has been there some time. A short time after those letters were set up, perhaps a month afterwards, I got from Mr. Arnold an inkling that there had been such articles as these distributed through the South, and that none of them were left there, so I could not tell where to get one. I spoke to Mr. Mace after the first batch, I think of fifty-six negroes, came there with the first lot. They were all men, I believe, and there were no women with them but one, and I talked with Mr. Mace and asked him to get me one of these letters, and he got that from Mingo Simmons. It came from him, and I think he came from about La Grange, North Carolina.

The CHAIRMAN. (Senator Voorhees) then read the following to the committee:

INDIANA.

This is a rich State of fertile lands, with abundant timber of every variety. The climate is healthful, and is not too cold for me, although I was raised in Georgia. It is just right.

Free schools are maintained from three to six months each year in every neighborhood. The blacks are admitted to these schools on the same terms as the whites, or, as is usually the case in cities, they have separate schools with good teachers.

Our people already have numerous churches, and more are being built every year by the help of our white friends, so that our church privileges are all that can be desired.

In Indiana all stand equal before the law—the black man being protected in his contracts, property, and person the same as the white.

Those of our race who come from the South and locate here have greatly improved their condition, especially those who have engaged in farming. Thousands of good farm hands and house servants can readily find employment at remunerative wages, and when you have earned your money the law will compel payment, should it be refused, which is not likely to be the case. What we want is honest, industrious men, who know how and are willing to work on farms, and the same class of women to do housework. Loafers are not wanted.

Don't sell your horses and wagons at half price to pay your fare on railroads and steamboats, but hitch up your teams and come overland to Indiana, like the children of Israel marched out of Egypt. It will only take a short time to do so. All who intend coming should *do so during the present summer and ensuing fall*, so as to get located in time to make their contracts with the farmers for next year. Such contracts are best made before Christmas. Colored men already here will assist those who come in obtaining work or situations. Persons who desire further information can obtain it by addressing me. But don't wait to write; gather up what you have and come at once, so as to be safe when the fifteenth amendment is repealed, for the purpose of returning you to a condition of slavery if you are found south of the Ohio river.

JOHN H. CLAY,
Pastor Bethel Chapel, M. E. Church, Greencastle, Ind.

Show this to our people in your neighborhood, and then keep it for future reference.

The WITNESS. This is an article (producing a paper) that went with that, I understood, and they were distributed together. I have understood, from the negroes who came from North Carolina, that the two were distributed together.

By the CHAIRMAN:

Q. This was all printed in the paper?—A. No, sir; that circular signed by Clay was not; it is a private circular.

Q. When did this first one come into your hands?—A. Not more than a month ago.

Q. Did you learn how long it had been printed and put in circulation?—A. Only from Mr. Williams.

Q. What did he say?—A. He came to my office, perhaps two or three weeks ago, and I was in the auditor's office at the time. My son brought him in there and said there was a man who wanted to see me. I said to him, "What can I do for you?" and he said, "I wanted to see you to get the use of the court-house for to-night." I said, "What for?" and he said, "Your people here do not seem to know why we have come up here to Indiana"; and he said they wanted to hold a meeting in the court-house to explain their objects. I said to him that I did not think it was of any use to do that, and asked him, "Where do you live?" He says, "I live here," and I said, "Where did you come from, and how long have you been here?" He said he came from North Carolina, and had been here three or four days. I said to him, "I do not think you are a citizen enough to be treated as such," and that the county board did not allow the court-house to go to the use of anybody but to citizens. I said, "What is your name?" and he said his name was Williams. I said, "Are you P. C. Williams?" and he said, "Yes." I said, "Are you the man who sent these circulars out in the South among the negroes?" and he said, "No." I said, "There is no use to deny it for I have the evidence, and you are an intelligent man and a preacher, and I know you did do it. You were here in September, and you and Perry took them; they went out of the office with you, and you took them to North Carolina." I was looking at him very straight; and then he said, "No, sir; I did not, but Perry took 400 of them." That was admitted to me by him in the presence of Mr. Edwards.

Mr. WARNOCK was called to the stand for a question.

By the CHAIRMAN:

Q. Mr. Warnock, do you remember when this circular was set up in the Banner office?—A. It must have been July, I think, but I cannot remember exactly the time.

Testimony of M. T. LEWMAN resumed.

By the CHAIRMAN:

Q. Go on, Mr. Lewman, with your statement.—A. I understood from Williams that Perry took them from there about the 1st of September, but I may be mistaken as to the time.

The CHAIRMAN (Senator Voorhees) then read to the committee the following from the printed circular:

INDIANA AND THE EXODUS.

[From the Greencastle (Indiana) Banner, September 25.]

A party of colored refugees from Kentucky passed through here Thursday on their way to Kansas, under the care of N. R. Harper, of Louisville. They arrived at 5 p. m., and remained until 11, when they took the western train. While here they were taken in charge by Rev. J. H. Clay and his congregation and entertained in Bethel Chapel. They presented an intelligent appearance, and realized in every particular the importance of the step they were taking. The ruling idea with them was to buy land, and this they think they can do more easily in Kansas, where lands are cheap, than they can in the older States. At the same time they concede the fact that it will be better for those who haven't money to buy land to stop in Indiana, Ohio, or Illinois, where their labor on farms is in such demand at remunerative wages. They have an impression that they will be safe from persecution in Kansas, and they were both surprised and pleased to learn that they would be equally secure in the more enlightened portions of Indiana. They stated that all the negroes in Kentucky who are industrious and have an ambition to better their condition will leave for the North during the

present fall and winter, except the few who are led by deceptive promises from the whites to remain.

We do not believe that they can do better than to come to Indiana. We need their labor on our farms and in our households, and will pay them the cash for it. There are no stores owned by the farmers here to cheat them out of their earnings. Here they will have precisely the same opportunity and privilege that the whites have to win fame and fortune, and they cannot do better than to settle among us. There is scarcely a farm in Putnam County but that would be the better for their services. In some parts of the county this year fields have been uncultivated for the want of workmen. If the colored exodus from the South brings those to us, it will be better for all concerned.

Three gentleman, living twenty miles away, came to town Thursday after colored families to live on their farms, under the impression that the colored people to arrive that day were to remain. When they learned that Kansas was their destination, their disappointment was very great. They each stated that they would be willing to furnish a man with a house to live in, a garden, a cow to milk, firewood, and pay him $15 a month cash. They further stated that the female members of colored families could find constant employment in the neighborhood at good wages.

By the CHAIRMAN:

Q. Go on and state to the committee what you know of that kind of literature being sent South?—A. I understood from the man that these circulars had both been distributed very generally down there. After I got hold of this first one (I had to pay $7 for it) they told me they both went together. I was anxious to get hold of it. It does not look like it was worth the price; but I wanted to see it and I bought it. Simmons said he took an oath never to part with it except to Mr. Langsdale or Mr. Clay. I do not know whether that is true or not; but I have only his word for it. I will say here that, in reference to that $15 a month, I am pretty generally over the county from time to time, and pretty well acquainted with the farmers. My business before I went into office was building, and employing a good many people. I have been following the building business all my life, and I know the prices of labor, and I have talked to a number of farmers since this exodus has been coming into the county. It created quite a furor among not only Democrats, but Republicans; but we have some extreme men in our county, like Langsdale, who favor it. I have talked to farmers about wages, and they told me that $10 would be the average price in the county; but these negroes said they were promised $15 in the winter and $20 in the summer.

Q. What do you know about the truth of the statement that a party employing one of these emigrants would give him a house to live in, and a cow and a calf, and probably drive the cow up for him to milk, and give him his food; what kind of a statement does that look like?—A. That is very overrated, I think. I do not think there is a laboring man in the county who is getting anything like that.

Q. That is a very greatly overdrawn picture, is it?—A. Of course it is.

Q. What do you put the daily wages at which men get, ordinary laborers, where they board themselves, and what are the monthly wages?—A. With farmers, if they go to work on a farm, now, they get 50 cents a day, or $10 per month; $12 is the pay for a very good hand. Those negroes who came there—and there are a good number of them that have landed in the county—I have made some inquiries of as to what they were getting. Dr. Stevenson is a gentleman living just east of our place and having 1,600 to 1,800 acres of land.

Q. He is a very rich man?—A. Yes, sir; worth half a million, I think.

Q. He is a Republican, also?—A. Yes, sir. Well, he had a lot of them making rails for him. I understood he had 24 on his place at one time, and that he had displaced some white men to put them in. I do

not know as to the truth of that; but I heard it; and he got them to go on his place and make rails at 25 cents a hundred. I heard a negro say so himself. I overtook one of them on the road and asked him what he was doing. He said he was making rails for Dr. Stevenson, and making them out of hickory wood.

Q. How many rails can a man make a day out of hickory wood?—A. I do not know, sir; I think not more than a hundred, anyhow. I also heard them laughing about shucking corn for 20 cents a day.

Q. Then you think that they would be doing well there to make 25 cents a day?—A. I do not think those that are there have averaged 25 cents a day.

Q. How many do you estimate have been landed there in the county?—A. I have put it at the lowest estimate at 250. I kept an account of them pretty well until they got so many that I lost the run of them.

Q. When did the last lot come to the county?—A. I think there were a few of them last week. The last lots have been very small.

Q. Then the exodus seems tapering off?—A. Yes, sir.

Q. How many of those who have come there do you think have got employment?—A. I expect a half of them have; I suppose not more than that. I know I was down at the Indianapolis, Cincinnati and Lafayette depot the other day, where I saw 21 of them in a room not larger than this (about 18 by 20 feet).

Q. Where was that at?—A. Near the north depot. They were living in there at the railroad crossing, and were mostly women and children. There were some men about, I believe.

Q. Did you see any stove in there?—A. I did not see any stove in there. How I came up there, I received letters almost daily from parties down in La Grange, North Carolina, asking me if I would buy them tickets and see that they got on the road back to North Carolina; but I know very little about that part of the business, for I was busy, and I told Mr. Allen, my deputy, to take out my letters and answer them and attend to them for me. He knows all about it and can tell you.

Q. Was it in consequence of these letters that you were down there at the depot?—A. Yes, sir; I was trying to see a woman that a gentleman wrote for, and as I was in that part of the town I just looked in there to see if I could find her.

Q. Did you find the woman?—A. Mr. Allen did. She was down there, but out of the room at the time I called.

Q. Tell us about whether they want to go back home to North Carolina.—A. I am fully satisfied that quite one-half and possibly two-thirds would gladly go back if they could get there. I have talked to one or two, for they have been coming to my office to see about getting letters written, but I turned it all over to Mr. Allen.

Q. Is he a deputy in your office?—A. Yes, sir. Mr. Fields took two of the negroes back, and he told me that every one that he had seen from his place wanted to go back with him.

Q. When did Mr. Fields come to Greencastle?—A. I cannot tell you; it may have been three weeks ago, more or less.

Q. Where did he come from?—A. La Grange, North Carolina, I think.

Q. What are his politics?—A. He came into my office one evening and said, "Are you the sheriff of the county?" And I said, "Yes." And he said, "I want to ask you some questions with reference to those negroes coming from our country up here," and said he had been over to the Banner office, and also said, "I do not want to deceive you; I am a Republican." I felt a little suspicious about talking to him, and I simply

told him the facts, as I understood them, that there was no demand in our county for labor; that a great many of our people were out of employment, and a great many were just living from hand to mouth and almost starving. I told him that I had frequently of an evening let 6, 8, or 10 men go into the jail to keep them from freezing; that they were traveling through the place, going about and looking for work. We have not had so many this winter, as it has been quite mild. I gave him the situation. He said he had seen several of his hands who had left him, and he said they were anxious to go back, and said, "I have had a mind to come and take every one of them back that left me." He seemed to have a plantation down there in North Carolina.

Q. Did he take any?—A. He took one. I went out to the plantation with him after him.

Q. These were women or men?—A. They were men.

Q. Do you know whether he got reduced rates to bring them back?—A. I do not know, sir. I got a letter from a party in Carolina, asking just what amount of money it would take to bring them back. He told me where he was to be found, and I knew him and where he was located. I went to the railroad, and they said the lowest rate—I did not go myself, but I sent Mr. Allen—was $20 from Greencastle to this point. I said, "How is this; that it is only $16 from Indianapolis and $20 from there?" And they said it was because of the local rate.

Q. How much did you pay coming here?—A. I paid $16 from Indianapolis.

Q. What was the rate from Greencastle?—A. Twenty dollars. I could not get a low rate for them to the points where they wanted to go.

Q. How many of these people have gone back?—A. A number of them from our county. There was one from the northern part of the county, in Russellville Township; he started to walk, and Mr. Allen saw him nearly to Indianapolis.

Q. Did you receive a letter from Mr. Wootten or the Messrs. Wootten Brothers?—A. Yes, sir; but I do not know the contents of it.

Q. Were there any of their employés who had left and gone up there in that county?—A. Yes, sir.

Q. Did any of them come back?—A. I do not know.

Q. Did you see anybody about their coming back?—A. I do not know myself about that. Mr. Allen saw them, I think.

Q. What do you know of their health? Are they not all huddled up there in very close quarters?—A. Well, sir, there have been four or five deaths in our town among these people; three children and one woman, and I heard there was a man at Dr. Crow's who was likely to die when I left.

Q. You say that Dr. Stevenson, who was a prominent man in the county, and at one time a candidate for lieutenant governor on the Republican ticket, has employed some of these people; how many did he have?—A. He had 24, as I understood it.

Q. How many did the Crows have?—A. They had several families, 5 or 6.

Q. Who was this—which one of the Crows?—A. It was Joe.

Q. What are Joe's politics?—A. He is a ward politician.

Q. What are his politics?—A. Republican.

Q. Do you know of any person not a Republican who has taken any of these people to their places?—A. I do not know, sir, of any. I have the names of some 50 or 60, and every one is a Republican except Bridges. He has been a Democrat, and went off on this greenback idea,

and is now, I think, up for nomination as trustee on the Republican ticket in his township. He has been a Democrat, but I think has now entirely left the Democratic party. He is much of a gentleman, nevertheless.

Q. What do you know of white men being discharged to make room for these negroes?—A. Only this: On Dr. Stevenson's place is a Mr. Welcker, who is very much of a gentleman, and who had been up to Bainbridge and made an arrangement with Mr. O'Hara for a house on the gravel road to live in, and when he went after it to occupy it he found that they had let two negroes have it.

Q. You think, taking the average, that these negroes have not made more than 25 cents a day since they have been in Indiana?—A. No, sir, I think not. Some of them may have made more, but I have had a good deal of information about them, and I do not think that they have made on an average 25 cents a day.

Q. Did you make the acquaintance of Heath when he was out there?—A. No, sir; but I met him when he came there.

Q. Where at?—A. At the Vandalia depot; one night at the South depot.

Q. At Greencastle?—A. At Greencastle, sir. General Manson, auditor of the State, sent word to me that there would be a colored man there that night or in the morning, who was the advance agent looking out places to locate colored people, and I went down there to the depot that night, and when he got off the train I had a talk with him. He told me where he was from, and said he had been here to Washington and stopped here awhile, I believe two weeks, with a gentleman of the name of Adams, 1338 V street, northwest. He said he had been there as much as two weeks, and had been at Indianapolis three or four days; maybe more. I gave him to understand that I was in favor of the exodus. I do not know that that was strictly right, but I did that. I am frank to say that I told him I was sympathizing with him very much. He said they expected to have enough darkies in the State by the 1st of May to carry the State for the Republican party. He said that one of their objects was to get them from North Carolina before the 1st of May to lessen the Republican vote there and increase it in our State. He did not hesitate to talk about it, and to say that it was a political movement.

Q. Why did they want them there by the 1st of May?—A. His idea was that it should be before the 1st of May, and before the census was taken.

Q. Was anything said about its bearing on the vote in Indiana?—A. He said that Adams and the parties he had been with here said they would have enough to go to Indiana to carry the State, but that they could not pay their way. I said, why is it that you do not pay your own way? Cannot you get here without your way being paid? And he said they could not; that those who had horses would not leave them, and did not want to come away; that it was only those whose way would be paid that could be gotten to come. By the way he said, too, that he went from here to Indianapolis in the mail car.

Q. Did he go from Indianapolis to Greencastle in the mail car?—A. I think he did.

Q. Did you see him get out of it?—A. No, sir; I did not, but I think he told me he had got out of it.

On motion, at this point the committee stood adjourned to Saturday, January 31, 1880, at ten o'clock a. m.

SEVENTH DAY.

WASHINGTON, *Saturday, January* 31, 1880.

The committee met pursuant to adjournment.

Present, the chairman and all the members of the committee.

TESTIMONY OF M. T. LEWMAN, RESUMED.

M. T. LEWMAN, testimony of yesterday resumed.

By the CHAIRMAN:

Question. When we adjourned yesterday you were speaking of an interview with a colored man of the name of Heath, and I think you remarked that you thought he came there in the mail car on the railroad?—A. I think so; he told me he did. I told you that I did not see him get out of the mail car myself.

Q. Who is the mail agent on that road?—A. I do not think I can answer as to that road.

Q. What road was it on?—A. The Vandalia.

Q. Did he give you any reason why he traveled on the mail car?—A. I do not know that I can state that he did.

Q. How did he come to tell you about it?—A. He was speaking of how kind they were to him; and speaking in the same connection, I think he said he went over from here to Indianapolis in the mail car.

Q. Did he tell you whether he paid his fare while traveling in the mail car?—A. He said he did not; that is my impression.

Q. He was carried through as mail matter, then?—A. He simply said that he came over in the mail car.

Q. And traveled free?—A. He told me he traveled free.

Q. Did he not tell you that anybody franked him or deadheaded him over the road?—A. He told me he came free, but I do not remember his exact language.

Q. Did he tell you that he came free from Washington?—A. Yes, sir.

Q. And had the accommodations of the mail car?—A. I do not know that he said anything of accommodations; he said he met a gentleman in Indianapolis named Reynolds.

Q. That is a violation of law, is it not, to ride in the mail car?—A. I do not know, sir; I am not posted on that.

Q. Where is that man Heath, now?—A. I do not know, sir.

Q. How long did he stay in and about Greencastle?—A. I understood until next morning at 9 o'clock; I saw him no more that evening.

Q. Do you know where he went?—A. The last I saw of him was at a hotel in the north end of the town.

Q. Do you know where he went when he left Greencastle?—A. My impression is that he went to Kansas, from what a gentleman there told me, a Mr. Goodrich.

Q. Do you know whether he came back?—A. I do not know.

Q. What do you know of his leaving a written statement on this subject at Indianapolis?—A. I never saw it.

Q. Did he tell you he made it?—A. Yes, sir.

Q. Do you understand that it is in existence from information?—A. The gentleman with whom the paper was left, Mr. Baker, I understand, has it yet.

Q. What Baker is that?—A. Mr. James E. Baker.

Q. What was the appearance of this man Heath? Was he a full-blooded colored man?—A. He was a dark mulatto, but not a coal-black man.

Q. What degree of intelligence did he manifest?—A. Nothing extra.

Q. You may repeat, as you did last evening, what was said of the purposes of this movement, so far as Indiana was concerned.—A. He told me that his first object was to get to Kansas; it is a matter I have not thought much about since, as it was long before this committee was in existence or thought of; but he said that his intention when he left home was to go to Kansas, but said he was sent out by friends at home to look out homes for them, and he came to Washington and remained one or two weeks, and gave the names of the parties with whom he staid.

Q. One was the man named Adams?—A. Yes, sir; he said they treated him kindly and asked him to stop at Indianapolis; and he said he had letters to Mr. Martindale; I am not positive as to whether he said he had any letters to Holloway, but I am certain as to Martindale; he said he staid there several days, and they asked him to come to Greencastle, and that he would find better accommodations down there in Putnam County than he could find in Kansas; he asked me about the county and chances for their getting labor, and I asked him why they wanted to leave North Carolina; he said one reason was to better their condition, and another, he said, was that their friends here, Adams and others, desired as many as possible of them to get out of North Carolina and into Indiana before the census was taken, so as to decrease the representation in North Carolina, and increase it in Indiana; this was the substance of his language.

Q. Did he tell you how many it was contemplated to transfer in this way by the 1st of May?—A. I think he did, but I cannot say how many it was.

Q. Give the best impression on your mind, if you have one?—A. I think it was fully as much as 10,000, but I am not positive.

Q. He talked to you freely, supposing you to be a Republican?—A. Yes, sir; that is true.

Q. Did he state who those letters were from recommending him to Martindale and Holloway?—A. I think he only called one name here, and that was Adams. If there was any other in Washington City, I do not remember it.

Q. Were you aware at that time that Adams was secretary of the Emigrant Aid Society?—A. No, sir; I was not.

Q. Did this man say anything at the time as to what Judge Martindale and Holloway said to him about going there to Indiana, and about raising money for them?—A. I am not certain whether the conversation was as to Holloway or not, but he said they proposed to pay half of their way. That was what he said in the conversation with me.

Q. This was all in the said conversation?—A. I never had but one with him.

Q. Judge, Martindale is proprietor of the Indianapolis Journal, the leading Republican paper in the State?—A. Yes, sir.

Q. And Holloway is postmaster at Indianapolis?—A. Yes, sir; he is.

Q. And is a leading and prominent Republican?—A. Yes, sir.

Q. Mr. Lewman, have you ever seen any Republican newspaper published in Indiana condemning this emigration of North Carolina negroes to our State?—A. I do not recollect of seeing one.

Q. Have you ever seen that they failed to condemn this committee for investigating the reasons why they left North Carolina for Indiana?—A. I do not know that I have. I think they all of them go for you and the committee.

Q. What is the tone and position of the Greencastle Banner on thi subject?—A. It has been opposing the investigation all the time.

Q. Now, sir, I want you to state the manner in which that lot of 5 or 60 negroes came to Greencastle? What citizens of the town went t see them, to meet them, and marched up to town with them?—A. I di not see them myself, but I understood that word was brought that the were on the road. I had it from Mr. Thomas Hanna, an attorney of ou town, and who is ex chairman of the Republican county central com mittee. He was chairman some time, but has been succeeded by anothe gentleman.

Q. What office is he a candidate for now on the Republican State ticket?—A. For the nomination of lieutenant-governor, I believe. I conversation with him—and I heard others state it—he stated to m this—that is, in speaking about the first batch; I stated yesterday tha it was 56; I believe it was sixty-odd—that batch of fifty-odd or sixty odd, Mr. Hanna telegraphed to Mr. Langsdale to come to Indianapoli to make arrangements for them. Mr. Langsdale did not get the dis patch in time to go on the Vandalia train, and he took the northern road, and when he got to Indianapolis I understood that arrangement were already made to get them to Greencastle. I do not know wha amount was arranged for, but Mr. Hanna said the money was arrange for, and Langsdale came down to Greencastle with them, and when the got off at the south depot, as we call it, Mr. Langsdale and Mr. Clay pastor of the church there, marched them up to the church and quar tered them there.

Q. You say they marched them up; do you mean that Langsdal marched up with them?—A. As I understand from those who saw him, he marched at the head of the procession.

Q. Were they on foot?—A. Yes, sir.

Q. How far is it from the depot to the church?—A. Fully half a mile.

Q. Where is the church located?—A. It is near the college.

Q. And your understanding is that Langsdale marched up at the head of them?—A. I heard a number say so, but I did not see that.

Q. Were they put into the Methodist church?—A. They were, sir.

Q. And remained there all the time, did they not?—A. Yes, sir.

Q. Are there any of them there now?—A. Not of the first squad, I reckon.

Q. But any, I mean?—A. No, I think not; I think there are none in the church now, nor when I left home, but there were a good many abou town.

Q. You spoke of 20 of these emigrants being in a room not as large a this; do you know of any others in the same condition?—A. Not to m personal knowledge; others know that better than I do. I have hear of it, but don't know it.

By Senator WINDOM:

Q. Mr. Lewman, you say you are a resident of Greencastle?—A. Ye sir.

Q. How long have you been a resident there?—A. Well, sir, I belie I have been there 14 years, a little over that permanently.

Q. What is the population of that county?—A. What is the county

Q. Putnam. What is the population of Putnam County?—A. Th last census was 23,000, I think, along there somewhere.

Q. Then it is about 23,000?—A. Yes, sir; about that.

Q. What is size of the county of Putnam?—A. It is longer north a

south than it is east and west; it is perhaps 30 miles long and about 17 or 18 wide. I do not know it exactly without making a calculation. I may be mistaken about the width of it.

Q. How many square miles would that be?—A. I never made a calculation of that, and without figuring it I would not say.

Q. That would be 510 square miles, if you have it right?—A. Yes, sir, I suppose so, but it is a matter I never figured over at all.

Q. That would be 326,400 acres; it is all good land?—A. No, sir; not all of it.

Q. What proportion is?—A. I suppose three-fourths is what we call good land; then there is some hilly land in the southeast and southwestern parts.

Q. Is that portion settled?—A. The hilly portion, yes, sir; it is all settled; the best part of our county is the north, northwestern, and west and east portions.

Q. Is all the county settled?—A. Yes, sir.

Q. Is it all improved?—A. Well, sir, there are some bodies of land that are not under cultivation; there is a good deal that is in timber.

Q. What portion of the county is under cultivation?—A. I cannot tell you exactly, but I should think one-fourth is under cultivation; a great deal of the land there is in timber and in grass.

Q. What is the principal product of the county?—A It is termed the "stock county" more than anything else, but we raise corn, wheat, grass, and hay.

Q. Do you require a great deal of corn for your stock?—A. Yes, sir; but it is not unusual to buy corn from Illinois, but that is not so this year; there is a good deal of wheat sown this year, two or three times more than I ever saw before.

Q. You say there are four or five thousand population in Greencastle?—A. Yes, sir; in that neighborhood; our men claim more than that, but I don't think there are more; I don't know what the last census of the county was.

Q. Are there any other towns and villages in the county?—A. Yes, sir.

Q. Please name them.—A. There is Bainbridge.

Q. What is its population?—A. I suppose something from 1,000 to 500.

Q. Which would you say?—A. 500 to 800 I could say.

Q. Name the next.—A. Cloverdale.

Q. What is its population?—A. Not over 500.

Q. What is next?—A. Reelsville.

Q. How many are there?—A. A couple of hundred.

Q. Are there any others?—A. Fillmore.

Q. How many are there?—A. The same number, about 200, maybe 300 and a few more.

Q. Are there any other towns?—A. There are some small places, very small post-offices, &c.

Q. What are the people in these towns mostly engaged in?—A. They are merchants, blacksmiths, carpenters, and laboring men.

Q. Are none of them farming?—A. Some of them live in town and farm outside.

Q. Are they mostly railroad towns?—A. Bainbridge, Reelsville, Cloverdale, and Fillmore are.

Q. You are very much crowded there in your State and county?—A. I don't say it is crowded.

Q. You said there were a great many people without employment?—

A. But I stated we have three seasons when there is a demand for labor.

Q. What are they?—A. The planting, harvesting, and corn-gathering seasons.

Q. That would take up nearly all the summer, would it not?—A. No, sir; we don't take all the summer to raise a crop of corn out there.

Q. What do they do in the spring time?—A. They are planting corn.

Q. Then there is the tending of it?—A. Yes, sir.

Q. Does not that take pretty much all the season?—A. The corn planting and tending and harvesting run up to August; then October and November they are gathering corn; there is not so much demand for labor after.

Q. Is there no demand for persons to take care of stock in winter!—A. Yes, sir; some.

Q. What do you mean by being overcrowded?—A. My judgment is and I am confident that we have no demand, certainly no extra demand, for labor at this time.

Q. There is no demand for laboring people in your county?—A. No, sir; I say we have enough permanent citizens who are able to do all the work and still leave others idle.

Q. You don't want any more emigrants in your county?—A. No, sir; I won't say that.

Q. If you are overcrowded and in a smothering condition we want to advertise that to the world?—A. I say I don't think we need any more laboring emigrants there.

Q. Does the Democracy want emigrants to come there or do they want to keep them away?—A. I don't think that is the feeling of the Democratic party.

Q. Do they want them to come there?—A. I think they do if they come as regular citizens.

Q. Then you want these colored people to come there if they come in that way?—A. Let me explain to you; the trouble seems to be that there are people—or at least a dissatisfaction seems to be because they are shipping these people there by the car load, and dump them down upon our people, when they are not able to support themselves. There is no objections to negroes coming there from the Southern States if they come as other people, with means to support themselves, and do not become a public burden.

Q. It is this immense number that you object to?—A. Yes, sir; the feeling has been excited by that.

Q. It is intense there, is it not?—A. I cannot say it is.

Q. It is strong then?—A. There is a good deal of it.

Q. When did this dumping begin?—A. I think the latter part of September, or it may have been in October.

Q. October, November, December, and January, four months; now it was October when it began; they have been dumping them in there by the car load since October?—A. No, sir.

Q. Then when did they dump them?—A. The first lot that came there were fifty or sixty; then there was forty, and they have been coming in as low down as fifteen.

Q. This immense number that have been dumped in there, as you say, by the car load is 250 all told?—A. I think so.

Q. And this you think an immense number to come in there in four months?—A. But it has created a good deal of excitement, and I think it is a large number to come into a county in so short a time.

Q. I see by the newspapers that a great number of Irish people are

likely to come to this country in a destitute condition; do you object to them coming to Indiana?—A. I think that would be like the others; if they come there as others do I think we would not object to it, but if they come as these negroes I think they would be treated the same as they are.

Q. Even if contributions taken up are used to help them?—A. No, sir; I don't think they are similar cases. I don't think I would object to them, as it is an act of charity.

Q. Then it is an act of charity to the Irishman and not to the negro?—A. Yes, sir; it is an act of charity to the negro, too.

Q. Then why do you make a distinction?—A. Because I understand they are not bettered by coming there to Indiana.

Q. Do you think the Irishman would be bettered by coming there?—A. If they are starving over there in Ireland, it would be an act of charity for them to come to this country where they could get relief.

Q. But you have nothing for them to do in your county.—A. No, sir; we have nothing for them to do at this time.

Q. As I understand you, you have no work for them in Indiana?—A. No, sir; if they wish work they should go somewhere else.

Q. Then you would say to them to keep out of Indiana?—A. I think there are better places for them. I am candid when I say to this committee that I do not think there is a demand for labor in Indiana at this time.

By Senator BLAIR:

Q. You mean at this season of the year?—A. Yes, sir; principally. I stated awhile ago that there was, during the winter, a fair demand for mechanics in our town.

By Senator WINDOM:

Q. Then, Mr. Lewman, when we say that America is the land of the free and the home of the brave, and an asylum for the oppressed, we must say with Indiana excepted?—A. No, sir; I do not say so.

Q. You say you have no work there for people coming into the State?—A. No, sir; there is no work at this time.

Q. Will you then advise this committee to say to the world, to these people coming here from whatever point, that they should keep out of Indiana?—A. No, sir; I would not think of advising this honorable committee as to what it should do. I do not state that we are overstocked in Indiana, but I do say that there is no demand for labor there now. I say there are times in the year when there is a demand for labor.

Q. Do not you think that if there is no demand for labor, and no work for people to do going there, that they had better keep out of the State?—A. No, sir; but I do not know that I can explain it any better than I have done.

Q. Your conclusion is that there is no demand for labor there, and that people emigrating had better keep out of Indiana?—A. I think I have stated the fact that there is no demand for labor there.

Q. Then you would say to people emigrating to the West that they had better keep out of your State?—A. That is true, sir; if they want work and are destitute in their condition now.

Q. You said, I believe, that a great many of these people wanted to go back?—A. I do not know that a great many of them want to get back, but I said a number of them did, and I say so yet; there are a number there who want to go back to North Carolina. This gentleman from North Carolina, whom I spoke about awhile ago, stated that all he

had seen from his place wanted him to take them back; and all I have talked to myself, probably two dozen, said they would be glad to go back, or intended to go back as soon as they got the means to go on.

Q. How many have you talked to on the subject?—A. I think probably two dozen. I do not recollect of one that I talked to who did not want to go back.

Q. What reason did they assign for wanting to go back?—A. They said that they could do better in North Carolina than there.

Q. I suppose you have heard of no threats and mobs and violence to keep people from hiring these emigrants?—A. There was some talk of that kind in the northwest corner of our county.

Q. Was anything done of that kind?—A. There was something of the sort, some talk, but I think no more, except that two houses were burned there in Russellville Township, one of the largest townships in the county.

Q. Was there anybody in either one of those houses when they were burned?—A. No, sir; not at the time. One of them was owned by Mr. Wilson, who is a Republican, and the township itself is a very strong Republican township.

Q. Were there any negroes on his place?—A. I think he had arranged with them to come in there, and the house was burned several days afterwards.

Q. Was there any understanding as to whether that had anything to do with the burning?—A. I made some inquiry about it, and there are facts in connection with it that I would rather not state. I should not like to say anything definite now about the burning of the house, as we want to get at the fact of who the house was burned by. I do not think, though, there are any Democrats living within a mile or two of the house.

Q. They were living near enough to get there if they wanted to, were they not?—A. Yes, sir; they might have burned it, I suppose. I was not claiming that the Democrats out there in Indiana are saints.

Q. I had no such impression.—A. We have as good Democrats as Republicans, and as good Republicans as Democrats there.

Q. What were the politics of these people who were making the threats to burn the houses? Did you hear of any Republicans engaged in that?—A. Only through others. I have heard that the laboring Republicans in that township threatened to do it.

Q. What about the other house? Had that man anything to do with hiring these negroes?—A. No, sir.

Q. Was he a Republican?—A. No, sir; he was a Democrat.

Q. Did he have any connection with this emigrant business?—A. No, sir; I have heard it said why the house was burned, but that is all. I do not know anything about it.

Q. What was the nature of the threats about which you testified?—A. Well, sir, we have men there who are reckless, Democrats and Republicans alike, and I have heard threats from both sides. They are men of a low class generally, and I paid no attention to what they said.

Q. Did you ever read any Democratic newspapers in which such a thing was hinted at?—A. I think I have, some little sketches.

Q. So it was not a low class of people that made these threats, but some good people were concerned in them?—A. I think I have heard of such a thing.

Q. How far is Shelbyville from Greencastle?—A. It is 75 miles from our place.

Q. What do you know of that mob that was reported down there?—

A. I do not know anything except what was in the papers. I do not know that I have talked with any gentlemen about it.

Q. You said yesterday that you did not know of any person, save one, who had employed any of these people who are not Republicans?—A. Yes, sir; I mean the new ones. The resident colored men are employed there by our people indifferently.

Q. I understood you to say that that man was a Democrat, but is pretty nearly a Republican now?—A. He used to be a Democrat, and he went off with the Greenback party, and I understand is now a candidate for nomination as trustee on the Republican ticket.

Q. From the character of your people there, as you know them from being their sheriff, what do you think would be the effect of threats of violence and these house burnings and mobs on the demand generally for colored labor?—A. We have had no such general threats and mobs in our county.

Q. It was understood, was it not, in the county that the house was burned for that reason?—A. Yes, sir; and I will say that two or three colored men left the county on that account.

Q. Would not such threats and the general understanding that houses were being burned that were prepared for colored emigrants have a natural tendency among the people to discourage them from employing these emigrants?—A. I think probably it would.

Mr. WINDOM. It would in most countries, I think.

The WITNESS. Yes, sir.

Q. What is your opinion as to that now?—A. I think I assented to your proposition. I think certainly it would have that tendency.

Q. And it would rather have a tendency to make some of these people want to go back home?—A. Yes, sir; I think it would, but do not understand, Senator, that that condition of things as you put it is the case in our county.

Q. You stated that they burnt one house a day or two after a man rented it to a colored man; that was in your county was it not?—A. Yes, sir; but all that excitement has subsided now.

Q. And you have seen the same sort of suggestions in the newspapers?—A. Yes, sir.

Q. And heard these threats from the lower classes?—A. Yes, sir.

Q. And you think all these things would have a tendency to discourage the demand for their labor?—A. Yes, sir.

Q. You say that Williams wanted the court-house to hold a meeting so that these people could state why they were coming to Indiana, and you would not let them have it because you did not think it was necessary?—A. That was one cause, sir. Then we have a county board of three commissioners, and they have instructed me only to let parties have the use of it on public occasions, and then only to residents of the county. I did not think that Williams was a resident of the county, and he is not now.

Q. Certainly that was a public occasion, was not it, when they wanted to hold a public meeting?—A. You might term it a public occasion. Another thing was that I did not know him any way. I told him if he would see Mr. Langsdale and Mr. Clay, and they came round, and they certified him as a citizen, he might get it.

Q. Did not Mr. Clay afterwards make application for it?—A. I understood he did.

Q. And to your deputy?—A. Yes, sir; to Mr. Allen.

Q. Did Mr. Langsdale join him in the request?—A. I understood so.

Q. Do you know why they did not get it?—A. No, sir.

Q. What paper is it that you said you paid $7 for?—A. For both of them.

Q. You said that the paper that you had there and produced to the committee did not look like it was worth what you paid for it?—A. I do not know as it is.

Q. Then you were cheated?—A. No, sir; I do not know that I was. I was trying to get at the secrets of this matter. I had a curiosity to know what these articles were.

Q. These secret articles here were all of them published in the newspapers, were they not?—A. I think they were.

Q. And there was nothing secret about them?—A. No, sir.

Q. And you heard that these others were lying around loose in the Greencastle Banner office?—A. No, sir; I never heard of it, if they were. We never could get hold of them, if they were.

Q. And you paid $7 to get hold of this one?—A. Yes, sir.

Q. To gratify your curiosity?—A. No, sir; I wanted to see what it was. There had been a great deal of excitement among our people over the coming of these North Carolina negroes. I have not been examined before committees of this sort much, and I am in the habit of stating facts while on the witness stand; but I would say there has been a good deal of excitement about the negroes coming into our county, and it is pretty generally believed, especially among the Democrats, that it was a political movement. I had heard about these papers or letters or circulars, and I felt a curiosity to see them, and thought that if it was a fact that there was a political purpose in bringing these negroes there it was important not only to the laboring men of our county but to the laboring negroes of the South that they should know of it.

Q. You did what you did as a Democrat?—A. Yes, sir; as a Democrat and a citizen.

Q. Have you not been very active in this, Mr. Sheriff?—A. I do not know that I have been overly active. I have been active to get at the facts.

Q. You have not been opposed to this exodus movement, have you?—A. Yes, sir, I have; and have denounced it wherever I could. Laying all politics aside, putting them entirely out of the question, I have denounced it and called it a fraud.

Q. It is not a very easy thing for you to do, is it, to lay your politics aside?—A. I suppose I would be in that matter like yourself; I am a Democrat.

Q. Well, I understand that you Democrats out there are opposed to their coming?—A. Yes, sir.

Q. Now do you find anything in that paper to interest you after paying $7 for it?—A. I do not know, sir, that I did particularly.

Q. What is there in it except a little exaggeration?—A. I think there is a great deal of exaggeration in that last article about the amount of pay and the inducements to be given to these people. I know all that is exaggeration.

Q. How about the secret one signed by Clay?—A. There is matter in that about the fifteenth amendment being repealed; that is all exaggeration. I do not think there is the least danger of that in the world. I never have and do not think so now.

Q. Do not you think that in some localities it is possible to nullify it quite as much as if you were to repeal it?—A. I do not think, Senator, it will ever be touched in the world.

Q. I think I have your objections to these two papers. You told us

something about meeting a certain Mr. Heath; what time in the day did you meet him?—A. It was in the night, I think near one o'clock.

Q. Were you at the depot when the train arrived?—A. Yes, sir.

Q. Was he alone?—A. Yes, sir.

Q. What was the first thing said between you and him?—A. I spoke to him and said good evening.

Q. You were looking for him?—A. Yes, sir.

Q. Who told you to look for him?—A. A gentleman named Baker—James Baker.

Q. He had come down from Indianapolis?—A. Yes, sir.

Q. Who did he bring word from?—A. John Manson.

Q. Who is he?—A. The auditor of the State.

Q. Is he a Democrat?—A. Yes, sir.

Q. Did he tell you why he and the auditor had been following this colored man over the State?—A. Yes, sir. He said that this man had come on to make arrangements for locating these exodusters, and was coming to our county for that purpose.

A. And you were requested to look after him?—A. Yes, sir; and have an interview with him.

Q. You said good evening to him?—A. Yes, sir.

Q. What did he say?—A. He asked if I could show him to the post-office, and I said I was going right there.

Q. Did you go with him?—A. Yes, sir.

Q. You took him to the post-office?—A. No, sir; I did not.

Q. Did he ask you to show him the postmaster?—A. No, sir.

Q. Didn't you tell him that you were the postmaster?—A. No, sir.

Q. Didn't you tell him that you were a Republican?—A. No, sir; I don't know as I told him I was; but I asked him if he was named Heath, and he said, "Yes"; and I said I was looking for him, and he asked me how I knew he was coming, and I said I heard it from Indianapolis.

Q. You said you led him to believe you were a Republican?—A. I did, sir, from my conversation.

Q. You deceived him about that?—A. Yes, sir; I am compelled to say, in truth, that I did.

Q. Did he bring any letters with him?—A. No, sir; he had some little slips of paper, on which were the names of parties he was to see.

Q. Who were they?—A. These are the papers; I have them here. (The witness produced several slips of paper.)

Q. Did he give these to you?—A. Yes, sir.

Q. At what point in conversation did he give you these papers?—A. I suppose we had been talking three quarters of an hour when he gave me those papers.

Q. You had been talking a half an hour at least?—A. Yes, sir; three-fourths, perhaps.

Q. And he asked you to show him the way to the post-office?—A. No, sir.

Q. Where did you take him?—A. I took him to a hotel after he left my office.

Q. Did he suppose, at the time, that he was in the sheriff's office?—A. I don't know, sir; I don't think he did.

Q. Did he talk to you as though you were the postmaster?—A. No, sir; I told him I had been selected to meet him; that the postmaster was not in at that time of night.

Q. You and him talked together freely?—A. Yes, sir.

Q. Was anybody else there?—A. No, sir.

Q. To what hotel did you take him?—A. To Sage's, down at the north end of the town.

Q. You say nobody saw you and him when you were holding this conversation?—A. No, sir; there were two or three parties at the depot. The night porter, Mr. Floyd, and two policemen there, and a young man named Richardson.

Q. Did they hear the conversation?—A. No, sir. Mr. Baker was there too.

Q. Did he hear it?—A. Mr. Baker may have heard the first words that were spoken. I don't think either of the others did.

Q. At what time of night did you leave him at the hotel? It must have been between three and four o'clock in the morning?—A. Yes, sir; but I am not sure as to the time. It might have been three or four o'clock.

Q. You were with him from the time he got into town until three or four o'clock in the morning?—A. Yes, sir; about two hours altogether.

Q. He was with you in your office, you say, one hour?—A. Yes, sir.

Q. What did you do with him when you took him to the hotel?—A. I told the proprietor to give him a room.

Q. Did you pay for it?—A. No, sir.

Q. Do you know who did?—A. No, sir.

Q. Do you know whether it has been paid for?—A. I think I have heard Mr. Sage say it has been paid.

Q. Do you know who paid it?—A. No, sir; I think it was paid by some Democrats, but I don't know that it was.

Q. What time did he leave?—A. I think he left about nine o'clock the next morning.

Q. Was not that the understanding between you, that he was to leave the next morning?—A. No, sir; he was to see me the next morning.

Q. Did you see him?—A. No, sir.

Q. Do you know anybody who did?—A. I think I do.

Q. Who was it?—A. Mr. Bridges.

Q. What is he, a Republican or a Democrat?—A. He is a Democrat.

Q. Didn't you say to him that he had better get out of town pretty quick or the ku-klux would get after him?—A. No, sir, I did not, for I promised to see him the next morning.

Q. Did you hear of anybody who did tell him that?—A. No, sir; not a word of it.

Q. He did leave pretty suddenly?—A. Yes, sir; he went away on the nine o'clock train.

Q. You were to meet him the next morning?—A. Yes, sir.

Q. Did you hear of any intimidation of this man, or any intimation of what frightened him off?—A. Yes, sir; I heard that Mr. Bridges told him he had fallen into the hands of a Democrat instead of a Republican.

Q. Did you hear that Mr. Bridges said anything to him about ku-klux?—A. No, sir; if he had done so I think he would have told me.

Q. Didn't you, as the Democratic sheriff, get up a good deal of a conspiracy with him to flood the State with these negro voters?—A. I told him they were needed by the Republican party, and asked him how we were going to get them, and how many. I told him how much we needed, and he said there was no doubt about our getting them, if we would pay half their expenses.

Q. You rather pledged the Republican party to bring them on there?—A. No, sir; I think not; I asked him if they could not pay their own way; and he said that maybe some of them would. I think the lan-

guage he used was that those who had horses and places would not come; and that those who did not could not get the money to come on.

Q. You stated, I believe, that it would take about ten thousand voters to turn the scale in Indiana?—A. Yes, sir; but I wish to state, in order to do him and myself justice, that he was first going to Kansas. But I think he said he was advised to stop there by people in Indianapolis.

Q. You don't know who those Indianapolis parties were?—A. No, sir, except from him; and he only named one party.

Q. You are sure he said something of that sort, before you intimated to him that they needed colored people to secure the State for the Republican party?—A. I think he did.

Q. Don't you think that it was your suggestion that you could carry the State that way?—A. I think not.

Q. Was it you who mentioned the ten thousand voters to him?—A. I think it was him. I think he said that he could get any number that was wanted; and they wanted ten thousand.

Q. Didn't you say that he suggested it?—A. No, sir, I don't think he did. He said he could get any number if you would pay half their fare.

Q. You communicated this conspiracy to Governor Hendricks, did you not?—A. No, sir; I did not.

Q. Do you know who it was that communicated it to him?—A. No, sir; I don't think I have had any communication with him since then.

Q Do you know whether this interview between you and Heath reached the governor's ears at all?—A. I cannot tell you.

Q. How long was it before he made his speech that there was a conspiracy between the Republicans to flood the State with colored voters that you had this interview with Heath?—A. I am not able to state that.

Q. Were you surprised when you learned that Heath had gone? And did you go around there to see him?—A. No, sir. I learned he had gone before I went down there.

Q. Who told you that he had gone?—A. Mr. Bridges.

Q. What reason did Mr. Bridges give you for his going?—A. I do not know that I can state just what was said on that occasion.

Q. Can't you remember it?—A. No, sir.

Q. Don't you remember the substance of it?—A. He said he told him he had fallen into the hands of a Democrat; and that he seemed anxious to go away, and that he jumped on the train and left.

Q. Did he tell him that you was a member of the ku-klux?—A. No, sir; Mr. Bridges did not say so.

Q. The fact that you were a Democrat was enough to make him go?—A. Yes, sir; it seems so.

Q. Have you seen him since?—A. No, sir.

Q. He was rather an ignorant man, was he not?—A. Yes, sir. He was not a low nigger, but rather of a medium character.

Q. These are all the papers that he showed you?—A. Yes, sir.

Q. Just these little slips?—A. Yes, sir; that is all.

Q. State what he said as to his interviews with people in Washington?—A. I think he said his first intention was to go to Kansas; but he stopped here, and, meeting this man Adams, he was persuaded to stop at Indianapolis, and from Indianapolis he was sent to Greencastle; and that parties told him they wanted a certain number of negroes from North Carolina in Indiana to lessen the number of Republican votes out there and increase it in Indiana.

Q. You stated, I believe, that he did not tell you who they were who said that?—A. No, sir.

Q. Have you ever heard anything since of this man Heath?—A. I have seen an article in the Banner purporting to be from him; but I do not think it is from him.

Q. What is that?—A. It purports to be a letter to the editor of the Banner and the postmaster; but I do not think it is from him, from the language used in it.

Q. You haven't got that, have you?—A. No, sir; there was only a mention of it in the Banner.

Q. Has Mr. Bridges ever heard of him?—A. No, sir; I think not. If he had, I think he would have told me.

Q. Did you and Mr. Bridges think that was the right sort of way to do, to meet an old darkey and frighten him out of your county in that way? Are those the Democratic tactics in your county?—A. Not as a general thing; but this seemed to be a desperate case.

Q. What was the character of that affidavit that he left at Indianapolis?—A. I only heard of it, sir.

Q. You had nothing to do with the getting of it?—A. No, sir.

Q. You only heard of it?—A. Yes, sir.

Q. You don't know where he is now?—A. No, sir.

Senator WINDOM. I do, and I want him summoned.

Senator VOORHEES. Where is he?

Senator WINDOM. In Saint Louis.

Senator VOORHEES. Then I will summon him whenever you desire.

By Senator WINDOM:

Q. You stated that his object was first to go to Kansas?—A. Yes, sir.

Q. And that he was induced by Adams to stop at Indianapolis?—A. Yes, sir; by Adams and others.

Q. You went out of the conspiracy business with him. You have not heard anything more of him?—A. No, sir; except what I heard of him in this article in the newspaper.

Q. Who had anything to do with this dreadful conspiracy besides yourself?—A. I was not in any conspiracy. He was giving his object, and I was agreeing with him for a purpose.

Q. But, so far as he understood it, you and he were in a conspiracy together?—A. He may have so understood it.

Q. You were working up a conspiracy to flood Indiana with negro voters?—A. No, sir; there was nothing of the sort said in the conversation I spoke of.

Q. What did he say that Mr. Martindale said to him?—A. I do not know as I can give you any more than that he was one of the parties who directed him to Greencastle.

Q. Who was the other party?—A. I think it was Mr. Holloway, but I am not positive as to that.

Q. Did he say anything more about raising money, except what you said to him?—A. There was nothing of that sort said, except that he said they would have to have half their way paid. He said they could not be brought there without somebody paid half their fare.

Q. Did he, in this confidential conversation with you, mention any one who was raising money for this purpose?—A. No, sir; I do not think that I could state that he did.

Q. You say you talked together two hours?—A. Yes, sir; I was trying to get this information.

Q. And you had his confidence, thoroughly?—A. Yes, sir.

Q. And he talked freely with you?—A. Yes, sir; I think he did.

Q. And you, while trying to get this information, and having his con-

fidence, did not get the names of any parties who were raising money for this purpose?—A. No, sir; he mentioned the names of parties here, and said they would help; but I do not know that he mentioned anybody who was raising money.

Q. Did he express any hope of getting it from any source?—A. Yes, sir; he seemed to think they would help him.

Q. Where were those people?—A. Some were here, and some were in Indianapolis.

Q. Did he tell you who they were?—A. Yes, sir; I asked him about Indianapolis, and my impression is that he spoke of Martindale and Reynolds.

Q. Who is Reynolds?—A. He is the mail agent there.

Q. He did not mention these names as the names of men who were going to furnish money, did he?—A. No, sir; I don't think he did.

Q. Did he seem to think those people could be brought without money, in this conspiracy you and him were raising?—A. He said they could not come without half of their way being paid.

Q. He looked to you to help him, did he not?—A. He looked to the Republican party.

Q. You did not understand that he had made any arrangement with anybody to bring them?—A. No, sir; I do not think he had.

Q. But he expected you to help him?—A. Yes, sir; I think from the questions he asked that he expected help, because he said they could not get there without we paid half their way.

Q. From all he said, you inferred that he had no arrangement for money to get them there?—A. I am inclined to think that he had none.

Q. Where is the gentleman who saw him after you did?—A. He lives in our town.

Q. Have you had frequent conversation with him since?—A. I have talked to him some since.

Q. Did you talk to him pretty freely, after this colored man left there so unceremoniously?—A. Yes, sir.

Q. What did he say he told him in the conversation that frightened him out of town?—A. I think it was a very short conversation he had with him.

Q. It was short, sharp, and decisive?—A. I don't know, sir.

Q. Was he very much amused as to the effect his conversation had upon this man?—A. I think he was a little amused.

Q. Did he mention or describe the effect that alarming statement, that he had fallen into the hands of a Democrat, upon Heath?—A. He may have done so, but I do not remember.

Q. You say that you do not recollect hearing any Republican newspaper that denounced the exodus; how many do you read?—A. I do not read very many Republican newspapers. I read the journals occasionally, and the Cincinnati Commercial, and our county papers; sometimes the Terre Haute papers, and sometimes the Saint Louis papers.

Q. You don't confine yourself very much to Republican intelligencers?—A. No, sir; I don't take but one Republican paper regularly.

Senator VANCE. You don't think you could stand two of them?—A. I do not know; but probably I could.

By Senator WINDOM:

Q. You say, in the first batch, there were fifty or sixty who came?—A. Yes, sir; I think so.

Q. And you talked to Mr. Hanna as to how they came there?—A. Yes, sir.

Q. He said that money was raised to take them to Greencastle, but did he say where they found them?—A. He said to me, in conversation, that somebody had telegraphed to Langsdale to come there and meet them in Indianapolis; but that they had started from there before he had arrived.

Q. Langsdale, you say, was a radical man?—A. Yes, sir.

Q. He held that the negro was not well treated in the South, and ought to come to the North?—A. Yes, sir; that is his idea.

Q. Then it was very natural, was it not, to telegraph to so pronounced a friend of the colored people to help them?—A. I don't know, sir; but I know he had written a letter, which was published in the Indianapolis Leader, stating that he would find homes for all who came.

Q. Then that is the reason, probably, that he was telegraphed to?—A. I don't know, sir; I know I read his letter.

Q. Do you know of any connection between Republicans and this movement, except that which is of an industrial and charitable nature?—A. Not from what I know, except from my conversation with Heath.

Q. That is all the information you have?—A. Yes, sir.

Q. You know of no direct connection of any prominent Republican with it?—A. I do not know of it directly; but it is the general talk.

Q. You mean that is the general suspicion in your party?—A. Yes, sir.

Q. But when you get down to the facts there is nothing in it?—A. I have given you all I think about it.

Q. You know of no money that has been raised for these immigrants, except for temporary support?—A. I do not.

Q. And that money was for stranded people who were in need?—A. Yes, sir; I think there was some money raised by them for some who wanted to start back home.

Q. That was Democratic money, wasn't it?—A. Yes, sir; I think so.

Q. Do you know anything of Democratic efforts to get women and children to go back, so as to leave the impression that the Republicans wanted to keep them there to vote?—A. I know that they are very destitute, and that our Republicans said that they would not raise money to help them to get back.

Q. Did you hear anything of a large number of Republicans who said anything about there being no employment for these people?—A. I expect I have heard two hundred say that.

Q. Give us the names of as many as you can?—A. It would be a hard job to give you the names of a good many.

Q. Give us all you can?—A. There were two of the Williamses, Mr. Welker, the man I spoke of yesterday. I believe I have heard Mr. Hanna, in his way, speak of there not being employment for them all. There were two or three of the Crows who were not, I think, in favor of the movement.

Q. Are those all?—A. No, sir; Mr. Will Fipps I have heard speak of it to a number of men down by the mill. I heard them also speak of it but I don't know that I could give you the names in full.

Q. They were mostly people about town?—A. Yes, sir; but some of them lived in the country. I mentioned some who lived there.

Q. You say you saw a squad of twenty in a room no larger than this?—A. Yes, sir.

Q. Were they recent arrivals?—A. No, sir; they had been there some time.

Q. Did they find employment?—A. I think some of the men did.

Q. What proportion of the two hundred and fifty who arrived there were women and children?—A. It would be difficult for me to state.

Q. Ar'n't they people who generally have large families?—A. I think the first lot of fifty or sixty were all men but one. Then of the balance I think one hundred and twenty-five—well, probably not that many, were men.

Q. How many of them have not found employment?—A. I could not tell you.

Q. How many do you know have found employment?—A. I know where probably fifty or sixty have been located.

Q. Do you think you know all who have been employed?—A. I think I do. Those who are not employed are about town, and may get a day's job now and then. When I speak of employment, I mean steady employment for those out in the country. There are forty or fifty, perhaps sixty, who are living with parties in the country.

Q. You say that Heath talked about improving his condition by coming to Indiana; what did he say?—A. He said that his idea was that they could better their condition by coming West.

Q. Did he make any complaint as to his treatment in North Carolina?—A. Yes, sir; he said they could not get money for their work, and had to take their pay in orders out of the stores.

Q. He complained about the order system?—A. Yes, sir.

Q. Did he complain of any other bad treatment, political or social?—A. I think, perhaps, he did.

Q. Did he complain of any discrimination between the whites and the blacks in the administration of the laws?—A. If he did, I have forgotten it.

Q. Did he say there was general dissatisfaction among his people?—A. He stated that a large portion of them would come if they could get North; and you may term it dissatisfaction or not. But I believe he said nearly all would come if half their fare was paid, except those who had teams and property.

Q. Wasn't it a fact that when so many of those people came a long distance in such a condition, and with so many women and children, it sort of mollified your party in its ideas as to the political character of the movement?—A. I don't know, sir.

Q. Hasn't it occurred to you that if the Republican party was doing this as a political movement, they would not go so long a distance and bring such large families all the way from Indiana in order to get one man to vote the Republican ticket?—A. I think I have argued that out. The reason was to keep the men there, who would not stay there without their families.

Q. Couldn't they have brought them cheaper by the Mississippi river and your Vandalia line?—A. I do not know, sir.

Q. Couldn't they have brought them by the Vandalia line for five dollars a head?—A. I don't know as to that.

Q. You know there is a good deal of satisfaction down there in Mississippi and Louisiana among the colored people?—A. That is the newspaper report, and that is all I have heard of it.

Q. Don't you think it is an unwise policy in the Republican party for them to colonize the State by taking the people from North Carolina, and not from Mississippi and Louisiana?—A. I don't know, sir, as to their objects.

Q. Assuming the idea of your party, that this movement has been created for political purposes, do you not think it would be better policy to take them from Louisiana and Mississippi than from North Caro-

ina?—A. Unless the reason is as has been stated here, it would be better; but it has been said here by colored Republicans that North Carolina is a safe Republican State, and they can spare them from there.

Q. Couldn't they spare them from Kentucky?—A. I don't know.

Q. Don't you know that Kentucky is a large Democratic State?—A. You know it has been going down some here of late.

Q. Don't you think it is an absurd proposition that the Republican party should go to North Carolina and do this thing to the disgust of its own people in Indiana?—A. I do not think the Republicans are disgusted with the negroes; but they are disgusted with this system of bringing them out there and putting them on the tax-payers without anything to support them. We have to feed them and to shelter them, and so they are objected to by Democrats and Republicans alike.

Q. Do you think their coming is likely to change the political aspects of the State?—A. I do not think so.

Q. Your people have no fears on that point?—A. Some of them have; but I have not.

Senator BLAIR:

Q. You said there is no demand for these people now?—A. Yes, sir.

Q. There are three seasons, you say—planting, harvesting, and corn-gathering. When does the demand spring up?—A. Well, sir, they commence plowing about the first of March, and sometimes not till April. This winter has been very open, and if it dries out they will begin plowing in April and plant in May.

Q. From the time they commence planting up to the time the crop is in they do not labor?—A. We have such improvements in machinery now that one man attends to as much of the crop as ten men used to do. We use double plows, reapers, and binders, and it requires less labor than you would suppose to run one of our farms.

Q. When is the most demand for labor?—A. In the summer.

Q. You need help most from spring time through to winter?—A. Yes, sir; we need most of them through the crop season.

Q. How long a time does it take to get those crops in?—A. I don't know that I can say, as I am not a farmer.

Q. In our State we hire about the time you do and get through in October. We hire up there for six months.—A. I don't think they hire that long in Indiana. They have large stock farms, and I know one man who has a thousand head of three-year-olds; it is a blue-grass region, and the best in the State, and the best stock county in the State.

Q. I suppose the portion of the year that an ordinary laboring man can get work in Indiana is about the same as in any other State South or North?—A. I don't know, sir. We have had a great deal of idleness in our State the last three or four years.

Q. I am speaking of it as a general rule. Now here is a colored man or an Irishman, and he proposes to emigrate to some State in the West; won't he get as much work in Indiana as in Illinois or Missouri?—A. I would hardly think so. I would think that in Illinois, or in Missouri, where they have more wooded land to clear, he would stand better than in Indiana.

Q. You know that in nearly all parts of the world, agricultural people must for a while be unemployed?—A. Yes, sir; that is so.

Q. So that immigrants to Indiana would find no more lack of employment there than elsewhere?—A. I am inclined to think he would. I

know we have been overrun by idle men in our State for several years—these people who are called tramps. In fact, we have had an unusual amount of idle men tramping through the country.

Q. An emigrant, going from any quarter to a new country, would expect, would he not, to undergo some hardships?—A. Yes, sir; I suppose so.

Q. Don't you think these people would rather prefer to go in a dull season, and take advantage of any rise in the demand for labor in the spring, than otherwise?—A. I don't know, sir.

By Senator WINDOM:

Q. Do you know whether this gentleman who saw Heath paid his way where he went?—A. I think he did, but I do not know.

Q. If he did, he was contributing to the exodus to some other State?—A. Yes, sir.

By Senator VOORHEES:

Q. Now, you say these three pieces of paper Heath gave to you at that night interview; just read that one.

The WITNESS read as follows:

"Postmaster Langsdale, and Mr. Clay, colored, at Greencastle, Putnam County, on the Terre Haute railroad. Private. Tell these gentlemen more are coming."

Q. Please state what is on the back of that paper.

The WITNESS. "Holloway. P. M."

Q. Did you ever see Mr. Holloway's handwriting?—A. I do not know that I know it.

Q. Look at this piece of brown paper, which you furnished on cross-examination by Mr. Windom, and state what is on the face of it.—A. (The Witness reading,) "Union depot, mail office, Reynolds."

Q. State whether you have any means of identifying who Reynolds is, by your information or personal knowledge.—A. I understand he is the mail agent there.

Q. Where?—A. At Indianapolis.

Q. At the Union depot?—A. Well, sir; I never made any inquiry about him.

Q. This third paper; what is it?—A. That is "J. M." at the top, but I take that to be "J. M. Adams, 1338 V. street, N. W."

Q. And these are the papers he handed you when he was talking to you, and supposed you were in sympathy with the movement?—A. That is true, sir.

Q. In your office, as sheriff, I will ask you whether it does not often become necessary, to discover the purposes of parties, to appear to be for the time in sympathy with them?—A. We rarely ever succeed if we tell the world what we are doing. I mean in pursuing a criminal, or anything of that kind; we cannot get at the facts, whether it be arson or theft, successfully without practicing some deception.

Q. Mr. Windom examined and cross-examined you in reference to the feeling there on the subject of immigration. Now, take your own county, and, if I understand you, there are objections to these people coming; but it is on account of their being paupers coming there without a demand for their labor, and consequently becoming objects of charity; but there is no objection to immigration into the State of self-supporting laborers?—A. I never heard of any.

Q. But there are objections to paupers coming there in large numbers?—A. Yes, sir. Will you allow me to state right here that the greatest

amount of dissatisfaction seems to be with the laboring classes of people. They seem to be more dissatisfied with it than any others.

Q. You have heard some grumbling among them which amounted to threats?—A. Yes, sir.

Q. There was some disturbance on account of it, was there not, over in Hancock County?—A. I heard of it, but I do not know anything about it.

Q. These threats, you say, came generally from the laboring classes of people?—A. There was some from leading Democrats; but the largest portion of them came from the laboring people.

Q. These irrespective of party?—A. Yes, sir; I think there are some few laboring men who are Republicans who are sympathizing with it.

By Senator WINDOM:

Q. You say you rarely succeed in finding a criminal without practicing deception. Do you think it is criminal for a quiet citizen to come into you county as this man Heath did?—A. Senator Voorhees asked me about criminals.

Q. But you admit you took your criminal tactics in dealing with this man?—A. Yes, sir; I did in this case.

Q. Why?—A. Because it was rather an unusual case.

Q. You say that house was burnt because of the man's hiring a negro?—A. Yes, sir.

Q. If they had let this man hire the negro, he would have been self-supporting, and found work enough to do?—A. Yes, sir.

Q. Now don't you want to correct this answer?—A. No, sir.

Q. I thought I would call your attention to it.

TESTIMONY OF MR. WARNOCK.

Mr. WARNOCK sworn and examined.

By SENATOR WINDOM:

Question. Did you see these circulars around the Banner office (referring to circulars signed by Rev. J. H. Clay)?—Answer. No, sir; as soon as they were done, they were put into packages and sent downstairs.

Q. Who did you first mention it to?—A. I said nothing about it at all. I heard that Mr. Lewman had one, and there was going to be an investigation of it.

Q. It is not usual, is it, for printers to tell about what is done in their job offices?—A. No, sir; not unless they are asked.

Q. It is not usual for them to tell all they know?—A. No, sir; but I supposed the committee wanted all the facts.

Q. State whether it is considered honorable among printers to tell things occurring in their offices, unless they are called upon regularly to do so?—A. Well, sir, I supposed that I was.

Q. Did Mr. Lewman call upon you regularly?—A. No, sir; but Mr. Warren asked me about it, and showed me a copy that Mr. Lewman had, and I remembered it.

On motion, the committee adjourned until Monday, February 2, 1880.

EIGHTH DAY.

WASHINGTON, *Monday, February 2*, 1880.

ommittee met pursuant to its order of adjournment and resumed
ring of testimony. Present, the chairman, and all the members
ommittee.

TESTIMONY OF WILLIAM B. TINNEY.

LIAM B. TINNEY sworn and examined.

By the CHAIRMAN:

tion. Where do you reside?—Answer. Indianapolis, Ind.
What is your occupation?—A. I am agent of the Baltimore and
ailroad, at Indianapolis.
low long have you been acting in that capacity?—A. At Indian-

nywhere?—A. A little over five years I have been in the employ
ompany.
low long since you have been at Indianapolis?—A. Ever since I
nployed by the company.
re you a native of Indiana?—A. No, sir.
re you from Maryland?—A. I am a Kentuckian.
id you go from Kentucky to Indiana?—A. No, sir; I went from

ou are the agent of the Baltimore and Ohio Road, but there are
s for different purposes; what is yours?—A. I am passenger

id they ever have more than one passenger agent there?—A.

What position does Louis C. Morrison hold?—A. He is general
ger agent of the Vandalia line.
o you know him?—A. Yes, sir.
Ir. Tinney, tell the committee whether you know of any money
aised in Indianapolis, as you understand, for the purpose of car-
negroes from this place to Indiana.—A. I don't know.
tate all you know in regard to the telegram addressed to your-
king that money be raised to send negroes from Washington to
a.—A. Well, sir, I think some four or five weeks ago—I cannot
u the exact date because I have not it with me—I was absent
ome when an open telegram was sent over the wire to me at In-
olis instructing me to collect $625 to pay the transportation of
s from Washington to Indianapolis.
What do you mean by an open message over the wire?—A. I call
pen message because it came over the private wire of the rail-
presume over the I., C. and L. wire.
What do you mean by an open message?—A. One not inclosed in
elope.
s that the habit of the company in telegraphing to its employés?
ot generally so, unless, as in this case, they are not accessible to
velope.
ut it came here over the private wires and came into you office?
es, sir.
nd fell into the hands of another party?—A. Yes, sir.
Who saw it and read it?—A. I presume so; I did not see it for
ys after.

Q. And that party handed it to you?—A. When I came home I think I found it under the inkstand on my desk.

Q. It had been placed there by somebody?—A. Yes, sir; I presume so. Mr. Morris made the remark that there was a telegram for me in addition to my mail.

Q. What Morris was that?—A. Levy C. Morris.

Q. Have you that telegram with you?—A. No, sir.

Q. What did you do with it?—A. I destroyed it after attending to my business.

Q. Is it in existence?—A. I presume the original could be got from the office here.

Q. State the contents of it.—A. The substance of the message was for me to go to certain parties there and collect $625, upon which being done, transportation would be furnished to the negroes for the money so deposited with me; then they would be given tickets.

Q. Be good enough, Mr. Tinney, to state whose name was signed to this dispatch.—A. I think our agent here in Washington, whose last name is Koontz.

Q. Do you know Mr. Koontz?—A. I have met him twice since I have been here. I asked him if he had the original telegram, and I said to him that it might be called for. He said to me at another time that he had found the original.

Q. In conversation with him did you refresh your recollection that the dispatch was from him?—A. Yes, sir.

Q. What is his position in the company?—A. He is general agent at this place.

Q. Tell us the names of those parties he requested you to see and from whom to collect this money.—A. There were three colored men.

Q. Name them.—A. Message read, in substance, collect from Professors Bagby, Broyles, and Elbert this money.

Q. Are these men of large means?—A. I don't know, sir; I never saw but one of them.

Q. Did you collect the money from them?—A. I did not.

Q. Did you go to see them?—A. I went where I expected to find them.

Q. Who did you see?—I saw the leaders of the negro church there.

Q. Did you see either of these three men?—A. No, sir.

Q. What leaders did you see?—A. The minister's name, I think, was Trebine.

Q. Did you see either one of them afterwards?—A. I saw Bagby.

Q. Did you get the money from him?—A. Not a cent.

Q. What did you tell him?—A. I told him I had called to collect $625, according to this telegram, and that it was two days old and I did not know what had been done in the mean time. He remarked that they did not have $625 there that night, and I said I do not want your money myself; I don't propose to go about with $600 out of that church and keep it over night at my house. I said to them that you had better take the money to some bank and get them to telegraph to Koontz to furnish the tickets and that the money is there subject to a draft.

Q. Was that the course taken?—A. I don't know, sir.

Q. That is, you went no further with it?—A. No, sir.

Q. Did you know whether the money was raised?—A. I don't know, sir; I presume more than likely the money was sent or tickets would not have been furnished.

Q. They were furnished, were they not?—A. I don't know; I know the negroes came to Indianapolis and we don't haul people for nothing.

Q. You haul some of them for half price, anyhow?—A. Yes, sir; and white people too.

Q. Do you charge these people full price?—A. You are right, we do.

Q. You saw Bagby when?—A. It was between 9 and 10 o'clock.

Q. And he said the money was not raised?—A. I won't be positive he said that when I went into the church; I asked him where I would find these parties and they pointed me to the executive committee room, as they called it, and I went in and found some 20 or 25 there. I never had seen Mr. Bagby before that time, and I showed the message and he read it the second time; they took counsel about it; they came to me, somebody did, and said they had not that amount to-night but they would raise that amount to-morrow so as to let the negroes come.

Q. You naturally supposed that they had raised it?—A Yes, sir.

Q. And the negroes came over the road?—A. I met Mr. Bagby several times afterwards, but I did not ask him about it. I told them who were at the church that I did not want the money myself; their best course was to deposit it in a bank.

Q. Did any one want you to wait until they raised the money?—A. Yes, sir; and I know I was positive about not taking it.

Q. You thought that some of them might be moved by pious zeal to interview you?—A. I don't know, but I thought there might be somebody to do that.

Q. This you say was five or six weeks ago?—A. Yes, sir; as long as that.

Q. How soon after that was there heard the arrival of these people?—A. Two or three days.

Q. Do you remember how many came?—A. No, sir; I do not.

Q. Do you keep account of them at that end of the line?—A. No, sir; nobody would know that fact probably, except the officers of the Indianapolis, Cincinnati and Lafayette Road; the general ticket agent if he knows his business, ought to know how many people go over his road, for he gets one coupon for each fare.

Q. Do you remember how many car-loads came?—A. No, sir; I do not.

Q. Did you see some of them when they came there?—A. Yes, sir.

Q. You have not taken a very lively interest in it yourself?—A. No, sir.

Q. Did not carry anything into your pocket?—A. It does not add anything to my salary at all.

Q. You have no politics to interest you in the matter?—A. No, sir; we will carry them dead or alive either way.

Q. Do you know the political prominence of Mr. Bagby?—A. I am rather inclined to think that this gentlemen spoken of in the dispatch must have been rather influential. I think Mr. Bagby is at the head of one or two colored institutions there.

Q. Is he a prominent Republican?—A. I don't know his politics, but he is quite influential among his people.

Q. Do you know Broyle's politics?—A. No, sir.

Q. Do you know Elbert's?—A. No, sir.

Q. You have not mixed in politics out there much?—A. I vote very seldom.

Q. Do you know where this money was deposited, what bank?—A. No, sir; I don't know that it was raised.

Q. You told them the best way was to put it in a bank and telegraph

to Koontz to furnish tickets?—A. Yes, sir; to let tickets issue and then the money could be drawn from the bank; they did not know me and I would have had to receipt to them, and probably had to go around and get somebody to identify myself, which I did not propose to do that night.

By Senator WINDOM:

Q. You do not know whether it was raised or not?—A. I do not.

Q. You do not know whether it was raised here or there?—A. No, sir.

Q. The only reason you suppose it was raised was that the negroes came there?—A. Yes, sir.

Q. It might have been raised here?—A. No, sir; I don't say that; naturally on that telegram I thought it was to be raised there, or he would not have telegraphed as he did. I take it that way as it was usual in some cases to get us folks, and telegraph, as in that way we would save the money, and we had the privilege of the wires.

By the CHAIRMAN:

Q. You necessarily would notice the arrival of colored people there!—A. Yes, sir.

Q. And you have seen a good many of these people arrive?—A. Yes, sir.

Q. Do you know a man by the name of Reynolds that is the mail agent at the Indiana depot?—A. I have seen him, but I am not acquainted with him.

Q. You would not be likely to know of his selling tickets in this business?—A. I don't think he was ever in the list to sell tickets from our road; we don't recognize anybody whose name is not on our pay-roll.

TESTIMONY OF VIRLING K. MORRIS.

VIRLING K. MORRIS sworn and examined.

By the CHAIRMAN:

Question. You say you reside at Indianapolis?—Answer. Yes, sir.

Q. Do you know a man by the name of Williams, a colored man, who has been connected with this emigration movement?—A. Yes, sir; I have met him a time or two.

Q. Where did you meet him?—A. I believe the first time was in my office.

Q. Where is your office?—A. Number 58 East Market street.

Q. What business are you engaged in?—A. The real estate business; and then we have been acting as agents for Western railroads having a land agency. I think there was the first place I saw him.

Q. Why did he call on you?—A. I think he called to see if he could get transportation to Topeka, Kans.

Q. Are you agent of roads leading into that State?—A. I have been of the Atchison, Topeka and Sante Fé Railroad, but not for several years past.

Q. Are you related to Levy C. Morris?—A. Yes, sir; he is a brother of mine.

Q. He is an agent of the Vandalia line, is he not?—A. I will explain that to you. We have an office up on Market street, and one at 164 South Illinois street. He has charge of that while I am up at the Market street office. That down there is our Western business; while *Mr. Mills is* associated with me at my office, which is up town.

Q. Do you have the privileges of his office down town?—A. Yes, sir.

Q. At which one of your offices did Williams call on you?—A. The uptown office.

Q. Do you know whether before that he had seen your brother?—A. I don't.

Q. You say he wanted transportation to Topeka, Kans.?—A. Yes, sir.

Q. Do you know how long he had been in the State when he called on you?—A. No, sir; I did not know he was there until he came into the office.

Q. At what time was that?—A. In the fore part of October.

Q. Did he get transportation to Kansas?—A. I don't know, sir.

Q. Did he get it from you?—A. No, sir.

Q. Do you know whether he went to Kansas?—A. No, sir; not to my knowledge.

Q. What did he say about remaining in Indiana?—A. I don't remember his saying anything particular. He wanted to know what the fare would be to Kansas. He was in there but a little while.

Q. Could he not have found that easier down town than up at your office?—A. Yes, sir.

Q. How came he to come to you?—A. I don't know, sir. I think one of these colored men came with him. You see we have been advertising considerably over that country as land agents, particularly of the Iron Mountain road; and persons visit our office in town to see what rates they can get to various points.

Q. You don't remember the man who came with him?—A. No, sir.

Q. Was it Perry?—A. I think Perry came to the office first, and in a few minutes Williams came. I believe it was Perry that the other gentleman was with.

Q. Had Perry been to your office frequently?—A. Several times.

Q. Is that him [pointing Perry out in the committee room]?—A. Yes, sir.

Q. You say he came first with another gentleman, and then Williams came in?—A. Yes, sir; in five or ten minutes.

Q. Did they state anything about settling in Indiana?—A. No, sir.

Q. They said nothing to you about settling in Indiana?—A. I think we had some little talk about it, but I don't know whether it was at that time or afterwards.

Q. Was he there afterwards?—A. Yes, sir.

Q. Did you have any talk with him?—A. Yes, sir.

Q. Did he finally conclude to stay there?—A. Yes, sir; I think he did.

Q. What did he say as to the others?—A. He said that others were coming.

Q. Did he give you an idea of how many?—A. No, sir; he didn't mention the numbers; no, sir.

Q. Did he say about what time they would come?—A. No, sir. I think the next time there were some of them there at the Union depot, and I went down to see them. The first time I don't recollect. I don't remember how soon he told me any of them were coming.

Q. I mean, did he say they were coming this winter, or next summer, or when? Did he indicate when they would come?—A. No, sir; he didn't indicate any particular time.

Q. What reason did he give for their coming?—A. Well, he thought they didn't have the privileges in North Carolina that they would have in Indiana and in Kansas.

Q. How long had he been in Indiana at that time?—A. I cannot say.

Q. Do you know where he is now?—A. I don't.

Q. What do you know of his making a trip to Washington afterwards?—A. I don't know anything about it, except that he came, and there were some colored people with him at the Union depot. I think there were two or three colored men with him when he came to the office.

Q. Do you mean when he was returning to Washington?—A. No, sir. He came here and then came back to Indianapolis.

Q. What did you do to help him purchase tickets?—A. I assisted Mr. Perry.

Q. State what that assistance was?—A. He came in and wanted me to assist him about getting tickets, and he gave me the money, and I went down and gave it to my brother. I suppose he ticketed them through. I returned to the office, as I was busy that day.

Q. You say Perry gave you the money?—A. Yes, sir.

Q. Could he not have gone and bought them himself?—A. Yes, sir; I suppose so.

Q. Then why did you do it?—A. Because he asked. People very frequently do it who are going west.

Q. Was he going west?—A. He was going east.

Q. Why didn't you tell him to go and buy the tickets for himself?—A. Because we get a commission out of tickets we sell over some of the roads, and that was the case in this instance.

Q. How much commission did you get on these tickets?—A. I think two dollars in each case.

Q. Did you divide that with Perry?—A. No, sir.

Q. You took two dollars commission on each ticket?—A. Yes, sir; but we don't get it all; we report the tickets and the report is sent back by the officers of the road.

Q. Am I to understand that if I were in Indianapolis to-day I could give you the money to buy my ticket and you could buy and keep two dollars of that money?—A. Yes, sir.

Q. Well, I think I will help some of my friends out there the next time I travel. But, Mr. Morris, do I pay no more than the regular rate in such case?—A. No, sir; and I wish, Senator, you would help us out.

Q. Suppose that I am a traveler and I met you at the depot in Indianapolis and gave you the money for two tickets, you would buy the tickets for me at the same price that I could buy them, but you would get two dollars by that transaction, and I would pay nothing more?—A. Yes, sir; I will have to explain that to you. The laws of the city there are very stringent, and have driven all the scalpers out, and we have to be very particular. When parties want tickets we generally take them to the Union depot ticket office and we help them in purchasing their tickets as much as we can, and in that we manage to sell tickets east and west.

Q. Did Perry have any benevolent desire to help you by applying to you to purchase his tickets?—A. No, sir.

Q. Could not he have gone and bought his tickets for himself quite as well?—A. Yes, sir.

Q. He is not an idiot, Mr. Morris?—A. No, sir; I should not take him to be one.

Q. Is that the only ticket operation you had with these people?—A. Yes, sir; I bought two tickets only for him and Williams.

Q. How much money did he give you?—A. Twenty-five dollars, I *think*.

Q. Was that to pay their fare from Indianapolis here?—A. Yes, sir.
Q. How did they get tickets for twelve dollars and a half?—A. It was not first class fare, it was emigrant rates.
Q. Do they have an emigrant rate coming east?—A. I believe they have.
Q. Who bought those tickets?—A. My brother took the money and he went and bought them.
Q. Then you got four dollars out of them?—A. Yes, sir.
Q. And the road got twenty-one dollars actually?—A. Yes, sir.
Q. That was a pretty good commission, wasn't it, for waiting on a couple of North Carolina emigrants?—A. Yes, sir; but it was the pay that we were after.
Q. You had no other feeling in this matter except to make the money? You have no particular sympathy or charity for these folks?—A. Yes, sir; I had charity for them just as I have for other people who are in a suffering condition.
Q. I don't want to ask you an unpleasant question, Mr. Morris, but isn't it rather queer that you took four dollars from these people out of twenty-five when they were in a suffering condition?—A. I don't consider these two people in a suffering condition; I don't wish to be understood as saying that these two people were suffering.
Q. Do you know Mr. Jorden, the register in bankruptcy?—A. Yes,

Q. He is quite a leading Republican politician there?—A. Yes, sir.
Q. Was he in the office when this transaction took place?—A. I don't know that he was.
Q. What do you know about his giving this money to Perry and Williams?—A. I don't know anything, sir.
Q. Didn't he say in your presence that he would guarantee more money at the same rates?—A. No, sir.
Q. Who was present when Perry came and gave you that twenty-five dollars to buy the two tickets for himself and Williams back to Washington?—A. Perry and myself, and I remember there was some two or three other customers in the office, but I don't recollect their names.
Q. Try and recollect; haven't you told your brother, Levy Morris, that Jorden gave this money to Perry and Williams and said he would guarantee more in the same way?—A. No, sir.
Q. Was Mr. Mills present at this transaction between you and Williams and Perry?—A. I am not sure; he might have been.
Q. Did you ever have any conversation with Colonel Jorden on this subject?—A. I think I did some days after.
Q. What was that?—A. I was asking just as a matter of conversation about this exodus business. I casually made the remark myself.
Q. What was the remark about it?—A. This exodus business, and the people coming in there.
Q. What remark did you make to him? Did you tell him that you were making a little out of it yourselves?—A. We were reading something in the paper about it, and it had then been a couple of weeks after the first lot came in there.
Q. What did Jorden say?—A. Well, sir, we were talking about what Indiana could do for them in the way of lands, and I said there was lands enough for them down among the hills in the southwest of Indianapolis.
Q. Where are there any lands that are available to these people in Indiana?—A. In Morgan County, in the southwest part of the State; there are some hilly lands *down there.*

Q. Was that all that you talked about?—A. That was the principal matter of talk. That, and our business transaction.

Q. Did you have some knobs down there to sell them?—A. Yes, sir, I had some that I wanted to trade them so as to make a commission thereto.

Q. What do you think you could sell them for per acre?—A. I thought 5 or 6 or 8 dollars.

Q. Did these immigrants seem to be in a condition to purchase those lands when they arrived there?—A. I had some information—I don't know whether I got it from the newspapers or otherwise—that some of them had some means laid up.

Q. Where have you got lands at 5 to 8 dollars per acre?—A. I have several thousand acres in Monroe County.

Q. You have none of those knobs and hills and ridges where anybody can live?—A. Yes, sir; I think there is some pretty good lands down there.

Q. Monroe is an old county, is it not?—A. Yes, sir; and pretty well settled.

Q. And they have cut off most of the timber, have they not?—A. A good deal of it, sir.

Q. And you thought if you could get some of those knobs off on these North Carolina emigrants, it would be a good thing?—A. Yes, sir; but I don't know that I took any particular pains to do it. It was a business matter as we talked of it.

Q. You thought it would relieve their condition and better them, as they term it, to put them down there on those limestone ridges, where nobody else will venture to live?—A. I don't know, sir, that there is much limestone down there.

Q. Does not that county lie on a limestone bed almost?—A. I don't know, sir. I think I have the advantage of you in a knowledge of Indiana, although you are a real-estate agent.

Q. Yes, sir, you may have. Do you now remember whether Mills was present at the time of this conversation, or not?—A. I don't know.

Q. You don't know of Jorden raising any money other than this?—A. No, sir.

Q. You never raised any yourself?—A. No, sir.

Q. Nor contributed any?—A. No, sir.

By Senator WINDOM:

Q. Do you know whether many of those people have found employment who stop at Indianapolis?—A. I think some of them have.

Q. Do you know many who have found employment?—A. I think most of those who came in first have.

Q. Where?—A. They are scattered about over different parts of the State. I think some of them went over to Terre Haute or north of that, to the county north of Vigo County.

Q. Did you hear much complaint of their not getting employment?—A. I have not heard a great deal, for I have not been among them much.

By Senator BLAIR:

Q. You are pretty well acquainted about Indiana, as to its soil and all that?—A. Yes, sir.

Q. You have been in the real-estate business how long?—A. Since 1872.

Q. What proportion of the State are you pretty well acquainted

n ?—A. Take it from the vicinity of Terre Haute, through Richmond, all of the north.

Q. Is it one-third or one-half of the State?—A. Yes, sir; from one-rd to one-half.

Q. Do you consider Indiana full to the extent of her capacity to sup-rt people?—A. O, no, sir.

Q. It has about two million of population now?—A. Yes, sir; I think that vicinity.

Q. You think she has capacity to support five million, do you not?—. I think the population could be easily double what it is now.

Q. From your observations and knowledge of the resources and char-ter of the State, and the employment for labor, present and prospect-e, what do you say would be the effect of an emigration to that State ten to twenty thousand colored people with their families, say five or x thousand laborers—would it be a disadvantage to a State, or would ey just drift and be absorbed in the population?—A. I think they ould find employment. I used to be a farmer myself, and found it diffi-lt sometimes to get good farm laborers.

Q. When were you a farmer; just before going into this business?—. Yes, sir.

Q. Do you know whether the demand for farm laborers is as great ow as it was then?—A. I don't know, sir.

Q. Do you think Indiana is as good a State to go to as any other tate where you have got no government land and a laborer has to de-end upon his muscle for his living?—A. Yes, sir; I do.

Q. Is it not a fact that such men do better in a State which has been ettled some time and where employers are to be found among men with apital who want labor performed than a new State under the process f settlement—is it not a fact that such a State is better in a way to give labor to the penniless poor man?—A. Yes, sir.

Q. Do you know anything, Mr. Morris, of this being in any sense whatever a political movement?—A. No, sir; I do not.

Q. Do you know of any Republican or Democrat who has political ends in engaging in and promoting this exodus?—A. No, sir; I do not.

Q. You have heard some expressions of that sort?—A. Yes, sir.

Q. Do the Republicans admit or disclaim that charge?—A. It is pretty well disclaimed by Republicans.

Q. Do you think that any Democrat is really afraid that the Republi-ans are trying to colonize the States in order to carry the election?—. It would seem that there are some who do.

Q. Do you know of any yourself?—A. No, sir. I have heard rumors f that effect and seen such statements in the newspapers.

Q. Do you believe that is mere political twaddle, or do you think ese people really believe it?—A. That is my impression.

Q. What is?—A. That it is mere talk for the sake of political capital; at is what I think.

Q. Do you know of any fact going to show that Republicans are en-aging in this emigration in order to strengthen themselves politically? -A. I don't know of a single fact.

By the CHAIRMAN:

Q. You stated to Senator Blair that you thought ten to twenty thou-nd people, with five to six thousand voters among them, emigrating to Indiana would not incommode the people of that State.—A. No, r; not if they were scattered about much.

Q. You are a Republican?—A. Yes, sir

Q. A square one?—A. I try to be a square one.

Q. Well, Mr. Morris, the Republicans generally in Indiana are of the opinion, are they not, that fifteen or twenty thousand negroes brought in the State would not hurt us?—A. I don't know, sir; I am not a politician, and I attend to my own business.

Q. You are expressing your views here, and you have not heard any people belonging to that party express themselves differently from that, have you?—A. No, sir; I have not heard any different expressions.

Q. You have not seen any statements in the Republican newspapers condemning it?—A. No, sir.

Q. Some of them rather encourage it?—A. Yes, sir; I think so.

Q. They rather encourage the negroes to come than condemn their coming?—A. I believe so, sir.

By Senator BLAIR:

Q. You don't find the Republican party condemning the emigration of the Irish there?—A. No, sir.

Q. They rather encourage it?—A. Yes, sir; good Irish farm labor is desired. I have employed them myself.

Q. Did you do that for political purposes?—A. No, sir.

Q. But the Irish are pretty nearly all Democrats?—A. Yes, sir; I think so.

By the CHAIRMAN:

Q. Will you say now, Mr. Morris, that you know of no Republican newspaper or speaker you have heard encouraging the Irish to come to Indiana?—A. I am not speaking, Senator, of the politicians; I am speaking of farmers and what my experience was at the time I was a farmer.

Q. Is there any expressions, or was there, among the farmers in favor of it?—A. I was speaking, Senator, in reference to the character of the labor; as far as my observation was before I left the farming, it was that the farmers wanted good Irish laborers, as they were good hands; they would employ good colored men, but it was difficult to get them; but if they could get Irishmen they always liked it.

Q. Where were you farming at?—A. At Six Points, twelve miles west of this place.

Q. When was that?—A. Up to 1872.

Q. You cannot remember any newspaper, you say, that rather encouraged Irishmen to come to Indiana?—A. No, sir; I cannot.

Q. Is it not true that your party is always condemning the Democrats for taking up the Irish and for adopting the present constitution that allowed a foreigner to vote after a residence of six months in the State?—A. Yes, sir; I believe they have.

By Senator BLAIR:

Q. Was that because he was a foreigner, or because they did not believe that was long enough residence?—A. I have heard objections on all those accounts, some on one account and some on another.

By the CHAIRMAN:

Q. What is your age?—A. I am forty-one; will be forty-two this summer.

TESTIMONY OF THOMAS P. MILLS.

THOMAS P. MILLS sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Indianapolis.

Q. What do you do there?—A. Mr. Morris and I are partners in the real estate and railroading business, and so forth, and dealing in Western lands.

Q. What do you know about the immigration of negroes into Indianapolis and Indiana?—A. I don't know as I know much about it. I know there have been a good many people go there.

Q. How many?—A. I could not tell you. After they once pass there I lose sight of them.

Q. Have you taken some interest in this matter?—A. Yes, sir.

Q. You have been in favor of emigration?—A. Yes, sir; I was very much in favor of it. I told the boys when they first came there that we wanted 20,000 "bucks," buck niggers, in Indiana this year.

Q. You mean to say that you wanted 20,000 men?—A. Yes, sir.

Q. You had no use for women?—A. No, sir; we had no special use for them.

Q. You had no idea of labor connected with this matter?—A. No, sir; I had no idea of labor. I was looking for votes.

Q. You wanted these 20,000 "bucks" to vote?—A. I wanted them to vote, of course.

Q. Are you a Republican?—A. Yes, sir; I am.

Q. And you thought if you could get 20,000 "bucks" you would slay us?—A. I thought we would get away with you everlastingly.

Q. Have you mixed with them much since they came here?—A. The colored folks?

Q. Yes.—A. No, sir; except at the depot. We have one office near the depot, and when a gang was coming in I would go down there and see them.

Q. Have they come in as fast as you desired?—A. They have not come in as I wanted them to.

Q. There have been rather more women and children than you wanted?—A. Yes, sir; they have rather overdone the thing in the women and children.

Q. Have you noticed, Mr. Mills, whether any considerable party of them have to be taken care of by charity?—A. Well, I could not tell you, Mr. Senator. I have not been at their headquarters much.

Q. Have you been called upon to contribute to their support?—A. Not largely.

Q. Were you raised on a farm as well as your partner?—A. Yes, sir.

Q. Of course you think these 20,000 "bucks" could be scattered around and get employment throughout the State?—A. Yes, sir; I thought we could get employment for them if we scattered them pretty thin.

Q. You mean in close counties?—A. Yes, sir; in close counties and where there are cheap lands.

Q. Then you mean to scatter them in close counties where there are cheap lands?—A. Yes, sir.

Q. Now, when Mr. Blair asks you, as he will, whether you know of anything political in this movement, what answer will you make?—A. How do you want to put that?

Q. I want to ask you whether the Republican party, or leading Republicans, have anything to do with this movement? I will put it in a

different way—whether these views of yours which you have given to the committee very frankly, are shared in by the intelligent Republicans of your State?—A. I think they are, as individuals.

Q. You are pretty well read, Mr. Mills, in the newspapers of the State?—A. Yes, sir; I read them pretty generally.

Q. Now, will you tell this committee whether you have ever seen an article in a Republican newspaper opposing or condemning this movement of the niggers?—A. I have not.

Q. Do you read the Democratic papers too?—A. Yes, sir; and they everlastingly go for it.

Q. Then I am to understand that the Republican papers approve of it?—A. I should think they did from their tone.

Q. They have had a word or two to say about me for raising this committee to investigate the exodus?—A. Yes, sir; I have seen your name frequently in print.

Q. It does not agree with the Republican press to have the causes of this immigration shown up?—A. I think, from the tone of the papers, they think it is a joke, and that there is nothing in it.

Q. You say, so far as you know, you think your views are substantially shared in by the Republicans of your State?—A. I think they are, as individuals.

Q. Have you seen an article in a Republican newspaper stating as frankly the view of this exodus movement as you yourself stated it to this committee?—A. I don't know as I have. I was simply giving my own views about the matter.

Q. Did you ever talk with Mr. Martindale about this matter?—A Yes, sir; several times.

Q. His paper is not disapproving of the movement?—A. No, sir.

Q. Rather encouraging it, is he not?—A. Yes, sir; I should say he was.

Q. He has always announced that there was plenty of room in Indiana for negroes?—A. Yes, sir.

Q. That they could get employment?—A. Yes, sir.

Q. And that there was good times there?—A. Yes, sir.

Q. And that they ought to get out of Egypt?—A. Yes, sir.

Q. Do you know Colonel Jordan, register of bankruptcy?—A. Very well, sir; I have known him for quite a while.

Q. You may state whether you heard any conversation that he had in your office, or anywhere else, in regard to this matter of the exodus, as it is called.—A. I do not think I talked with him in my office. I saw him in there one day, but I do not think I talked with him there; but I was at his office.

Q. Well, what was the conversation you heard?—A. Well, I took a party of these people there, and one of them—I would not be certain which—but I introduced them to Mr. Jordan in his own office. I called to him that they could tell their own story, and that I was in a hurry, and I took my departure.

Q. Did you ever talk with Colonel Jordan afterward?—A. Yes, sir; I did.

Q. Did you ever talk with him about raising money and buying tickets for these men?—A. No, sir; I had no talk with Colonel Jordan in reference to this.

Q. What did he ever tell you in regard to his giving them money and buying tickets, and that he could raise more money for the same purpose?—A. I don't know as I could tell precisely. The day that they wanted these tickets they went up to Colonel Jordan's office, because I

stepped out of my place and showed them where it was. They were in want of means to come back to Washington, and I showed them where his office was, and they went up there, and when they came back they had the money themselves, but where they got it I don't know.

Q. What did they say as to their money when they first talked to you?—A. They were wanting help.

Q. And you pointed out the office of Colonel Jordan to them?—A. Yes, sir; they went to see Colonel Jordan and Colonel Dudley. They wanted to see Colonel Dudley, but I didn't know him very well, and I didn't introduce them to him.

Q. Dudley is United States marshal?—A. Yes, sir; but I didn't introduce them to him.

Q. After they went to see Colonel Jordan they came back directly and had the money?—A. Yes, sir; they came in time to make the train.

Q. Is there any other financial transaction in reference to this matter with which you are acquainted?—A. Yes, sir. There was money raised to send them to Greencastle.

Q. Do you know how much?—A. I don't know exactly how many went, but I know it was a grand day in the business.

Q. It was a pretty good day in the business?—A. Yes, sir.

Q. Do you know who raised that money to take them to Greencastle?—A. Well, I went down to see in reference to it, because, as Mr. Morris has told you, we wanted to get the number of the tickets, and I heard there was quite a number of them down there, and I went to see how many of them there were and where they were going. I went down there and saw about it, and I spoke to Mr. Reynolds about it.

Q. What occurred between you and Reynolds?—A. He reached me the tickets and I took the numbers; and I asked if they were fixed, and he said: "I have sent a man up town to get the money and fix them."

Q. Do you remember how many tickets there were?—A. There were from 50 to 75.

Q. Are you personally acquainted with Mr. Reynolds?—A. Yes, sir.

Q. What position does he hold?—A. He is mail agent.

Q. Where?—A. At the Union depot at Indianapolis.

Q. If you understand it, what is his duty? To see that the mail is transferred from the depot to the office, and from the office to the depot?—A. Yes, sir.

Q. It is a very important office, then?—A. Yes, sir; I believe so.

Q. Is it an office of appointment by the government or by the postmaster?—A. Yes, sir; I think it is by appointment from the government.

Q. Do you know Mr. Reynolds' politics?—A. Yes, sir.

Q. Is he a Republican?—A. Yes, sir.

Q. Do you know how he came possessed of those 50 or 60 tickets?—A. Well, sir, he bought them. I saw him buy them, but I don't know where the money came from. He said to me that he sent up town for the money.

Q. And you saw him buy the tickets?—A. Yes, sir. I saw him inside the office, and he came out and gave me the tickets and I took the numbers of them.

Q. Do you remember what the fare is from Indianapolis to Greencastle?—A. It is something over a dollar.

Q. A dollar and fifty-five cents?—A. Yes, sir. A dollar and fifty-five cents exactly.

Q. And he had money enough to purchase fifty or sixty tickets at that rate?—A. Yes, sir.

Q. And you don't know where he sent for the money?—A. No, sir; I saw they were getting uneasy and it would not do to keep them there until the 11 o'clock train that night. I wanted to ship them off, for people were talking about there, and it would not do to keep them there.

Q. When, therefore, you heard them talking you wanted to send them off?—A. Yes, sir.

Q. Do you know Mr. John C. New?—A. Yes, sir.

Q. And a very nice gentleman, too?—A. Yes, sir.

Q. Chairman of the Republican State central committee?—A. Yes, sir.

Q. Did you ever have any talk with him on the subject?—A. No, sir; I have never spoken with him about it.

By Mr. BLAIR:

Q. You are a strong Republican?—A. Yes, sir.

Q. Always have been?—A. Always have been.

Q. Always going to be, I hope?—A. Yes, sir; I hope so.

Q. And you say if these men come to Indiana and vote the Republican ticket, you are in favor of their coming?—A. Yes, sir; I do.

Q. And you think every Republican living in the State wants every emigrant to vote the Republican ticket?—A. I think so.

Q. Do you know whether any Democrat in the State wants emigrants coming there to vote any other than the Democratic ticket?—A. Well, judging for myself, I should say that they wanted them to vote the Democratic ticket.

Q. Do you know whether the Republican party, as a party, is engaged in organizing or using any systematic effort to stir up discontent among the negroes of the South to induce them to come to Indiana for political reasons?—A. I do not know of any such organization.

Q. Do you know of any such effort?—A. As a party, no, sir.

Q. Do you know of any prominent Republican from Indiana who has been to the South, or any portion of the South, as a political missionary, to arouse a desire among the negroes to come to the North, or to Indiana, to vote the Republican ticket?—A. I don't know of any persons who have been down there except our own De La Matyr, who represents our own district at home.

Q. You do not look upon him as a representative Republican?—A. He did not get the Republican vote.

By Senator VOORHEES:

Q. He got some of it?—A. Yes, sir.

By Senator BLAIR:

Q. You spoke of certain tickets being purchased for the transportation of these negroes from Indianapolis to Greencastle?—A. Yes, sir.

Q. What is the distance from Indianapolis to Greencastle?—A. Forty miles.

Q. You stated, I believe, that you had some connection with that business. Now, please state to the committee just what it was. What did you work for, and what interest as a railroad man have you in the transportation of these negroes?—A. I work for the Vandalia road.

Q. As against what roads?—A. The I., C. and L. or any other road that runs in competition. It was to our interest to get as many to go over that road to Greencastle at full rates as possible.

Q. Then it was business interests that you had?—A. Yes, sir.

Q. What commission did you get per capita on those tickets?—A. We did not get any.

Q. You stated that you would like to have a large immigration into the State of Indiana. Now, will you tell the committee whether your interest was mainly a business interest?—A. That was not my only object and desire; my principal object was different from that.

Q. Then it was to get them to vote the Republican ticket?—A. Yes, sir.

Q. What have you done in order to advance that object?—A. Nothing, except to blow off a little wind.

Q. You have put no money into it?—A. Not to amount to anything.

Q. What have you given?—A. Well, $3 or $4 or $5.

Q. That is to those who happened along?—A. Yes, sir; they would pass me and ask for a quarter or half dollar and I would give it.

Q. That is mere pocket charity?—A. Yes, sir.

Q. Have you ever sent any money South, or assisted in sending any money South or any agents; or have you printed or circulated any documents in the South to induce negroes to go to Indiana?—A. No, sir.

Q. Do you not suppose that you feel as active an interest as any Republican in the State in the emigration of these negroes?—A. I do not see how a man could feel any more than I do.

Q. You are as warm and ardent a Republican as any man in the State?—A. I believe I am.

Q. Now, then, Mr. Mills, since these emigrants came there, what has been their condition up to this date?—A. Financially?

Q. Yes, sir. How have they been disposed of; how taken care of?—A. There are some of them that I have heard about—I suppose you have heard about them, too—who went to Shelbyville. A great many of them went to Greencastle, and some to Rockville, and some of them to Senator Voorhees' city. Some of them, I believe, went to Greenfield, and some of them into Hamilton County, about Marion.

Q. Then they have been scattered pretty well through the State?—A. Yes, sir.

Q. Why have they gone to these particular localities?—A. That would be a matter of supposition.

Q. But you can say why, according to your understanding?—A. I suppose because they are invited.

Q. By whom?—A. By persons living there.

Q. Do they promise to give them employment?—A. Yes, sir.

Q. Have not all of them substantially found employment?—A. I know nothing of that except what I have heard.

Q. Well, what is it?—A. I know those who have remained in the cities have not found employment.

Q. But you say most of them have gone to those other places?—A. Yes, sir.

Q. Then those have pretty generally found employment?—A. I have read contradictory statements as to Putnam County.

Q. But generally, you say, they were invited?—A. Yes, sir; and most of them have been employed.

Q. Of course individuals in certain cases will suffer, but what do you think of the most of them?—A. Yes, sir; individuals will suffer, but I think the most of them who are there now will fare pretty well.

Q. In Indianapolis, I understand you, there are some remaining?—A. Yes, sir.

Q. How many?—A. I could not tell you. There were a lot of them quartered in a church, but I could not tell you how many there were.

Q. Were they all at one place?—A. They were at two different places, and I think they rented quarters for them afterward.

Q. They are not proposing to go back, as I understand you, but to stay until the season opens?—A. Yes, sir.

Q. Then, with all their hardships, they propose to stay in Indiana?—A. I have not heard of any of them who wanted to go back.

Q. Then with all their hardships, Indiana is better than North Carolina?—A. I do not know, sir; I have not spoken to any of them except as they came to Indianapolis.

Q. Then you know in a general way that these people who are there propose to remain until they find work?—A. Yes, sir.

Q. They do not propose to go back?—A. No, sir.

Q. There have been individual instances of these men returning home?—A. I do not know of seeing a single case.

Q. You do not?—A. No, sir.

Q. As you have come in contact with them, what is their expression generally as to their condition in Indiana as compared with what it was in North Carolina?—A. I never went into a general talk with them as to that.

Q. Then I understand that your contact with them has only been where it afforded you a dollar?—A. Yes, sir.

Q. And your contract has been in a business way?—A. Yes, sir.

Q. Wholly?—A. Yes, sir.

Q. And your Republican feeling for them has been purely sentimental?—A. Yes, sir.

By Senator WINDOM:

Q. Do you know of anybody raising money to send to the South or to send agents South in the interest of the exodus?—A. No, sir.

Q. Then all the money that was raised, so far as you know, was to help the destitute?—A. Yes, sir.

Q. What is your opinion or understanding, from general reports, as to whether colored men are allowed to vote their sentiments in North Carolina?—A. I have no mind on the subject; I can say from the reports in the Republican papers, that I do not think they have the right to vote as they please.

Q. Your opinion is, then, that they do not have a fair vote, and when they are allowed to vote, they are cheated out of it?—A. Yes, sir.

Q. And as a Republican you wish them to come to Indiana and have the right to vote as they please?—A. Yes, sir; as Indiana is a little close State, you know.

Q. You spoke of some of these negroes going to Shelbyville. Do you know anything about that?—A. Yes, sir; I heard some of them landed there.

Q. Did you hear anything of a demonstration by the Democrats when they landed here?—A. I did in the papers.

Q. I understood you to say that you have heard of Republican papers criticising Mr. Voorhees for raising this committee?—A. Yes, sir.

Q. Have you not seen Democratic papers doing the same thing?—A. Yes, sir; I have seen a few slips from them.

Q. Then you have seen papers on both sides that thought there was nothing in it?—A. Yes, sir; but I do not think our own Democratic paper has said anything of the kind.

Q. What do you know of mobs and threats to prevent these people from coming into the State?—A. I do not think there is any opposition *to them in* Indianapolis.

Q. Do you know of any anywhere else in the State?—A. Nothing, except what I have heard from the newspapers.

Q. Then those facts you know nothing about?—A. No, sir.

By Senator BLAIR:

Q. Do you not understand that the Democratic opposition to the negroes coming to Indiana is because the negroes were expected to vote the Republican ticket?—A. Well, I think they claim that.

Q. Then the Republicans are in favor of it and the Democrats are against it. How do you account for that?—A. I think the main opposition is, as it is stated in the Democratic papers, that they think every colored man who is employed will throw the white man out of employment.

Q. I did not ask you how they put it.—A. Well, I think the way the negro votes is the main object with them in their opposition.

By Senator VANCE:

Q. But you say the negroes' vote was your main object in wanting them to come to Indiana?—A. Yes, sir; I am not specially fond of the negro for himself.

Q. You do not hanker after them?—A. No, sir; it was his vote that I wanted.

By Senator WINDOM:

Q. Is it not your opinion that a good colored man in Indiana is better, on patriotic grounds, for the country than a white Democrat?—A. I would not like to answer that. We have a very fine trade among the Democrats, and I have a number of friends among them, and I have a great many personal friends amongst the Democracy. If it would suit you just as well, Senator, I would not like to answer that question.

By Senator VANCE:

Q. You say you know this man Perry?—A. Yes, sir.

Q. Have you had any interview with him since you came here?—A. Yes, sir; he talked to me the other day down here.

Q. What did he say?—A. Well, he came up and he button-holed me and said he would rather I would not say anything about our buying those tickets back from Indianapolis to Washington.

Q. What did you tell him?—A. I told him I would do my own swearing.

On motion, the committee adjourned to Wednesday, 10.30 a. m., February 4, 1880.

NINTH DAY.

WASHINGTON, *Wednesday, February* 4, 1880.

The committee met pursuant to its order of adjournment. Present, the chairman and all the members.

The taking of testimony was resumed, as follows:

TESTIMONY OF E. B. BORDEN.

E. B. BORDEN sworn and examined.

By Senator VANCE:

Question. Where do you reside, Mr. Borden?—Answer. At Goldsborough.

Q. What is your business?—A. I am a farmer and president of the bank at our town.

Q. Mr. Borden, the object of this committee is to investigate the causes of the removal of the colored people from North Carolina to the Northern States, particularly Indiana. Will you please state to the committee anything you know that has caused them to make this movement?—A. I think the condition of our colored people is as favorable as that in any Southern State, especially in which I have traveled; quite a number of them are very successful farmers and own considerable property; there are no complaints heard among them now of any injustice being done them.

Q. Is there any complaint among them of injustice and discrimination against them in the administration of the laws?—A. None that I know of.

Q. Can you state whether they have had the same chances to acquire property and the same enjoyment of their political rights as the white people?—A. Yes, sir.

Q. They exercise them freely?—A. Yes, sir.

Q. And without compulsion?—A. Yes, sir.

Q. Have any of these men gone from your county?—A. I think very few have gone from our county. I know very few of the men who have gone. Some women and children have gone, but most of those who have left have gone from the county below us, the county of Lenoir. There was one woman who left my plantation. She left her husband and went out to Indiana.

Q. Her husband did not go?—A. No, sir. I don't know whether she left to get rid of him or what motive influenced her to go.

Q. Do you know anything about the means taken to bring about this movement or this discontent—if the movement is due to discontent among the colored people?—A. There are one or two colored men who I understand have been paid to influence them. I have been told by some of our men there that they have secret societies and they swear them to keep quiet about what they are doing. One of the draymen in our town, as man who used to live with me, I spoke to about it, and I learned from him that they are not leaving our place much, and they were excited throughout the country and did not know what to make of the movement. I asked him what he knew about it, the influences that were urging them to go; he said they had been told that they could get big wages; that they could get one dollar and a half and houses to live in and plenty of work. There was a man by the name of Taylor Evans who seemed to be active in soliciting them to go, but I don't know what inducement he held out to them. I asked the man whose wife left my place if he heard from her and, he said he had; that she had gotten a situation as a servant in a house. I asked him if he intended following her, and said he did not know; that she was to write home how she was getting along.

Q. You say that very few have left your county?—A. Yes, sir; very few.

Q. You are a planter yourself, and of course you are well acquainted with the agricultural people in your section. There have been things said here in relation to the "landlord and tenant act." Will you please explain the operations of that act?—A. Well, sir, I think its operation may be easily inferred from the act itself.

Q. It has been said that men were not allowed to have their gardens when working?—A. That is a mistake; so far as I know, even those who

hire for wages have a house and wood free; have a garden-patch and are allowed to raise pigs and hogs.

Q. All these things are not allowed them free, are they?—A. Yes, sir; even those who rent have it. The customary rental with us is that the tenant pays one-third of the crop of cotton and corn. In some places the lands are not so good and the rent is lower, but at points not far removed from town we usually get one-fourth of the cotton and one-third of the corn.

Q. Don't they pay in portions of their other raising, such as hogs?—A. No, sir; they pay no portion of anything else that they raise; they generally fatten their hogs off the crop.

Q. Then they only pay a certain proportion of the leading crops?—A. Yes, sir.

Q. How is it when the landlord furnishes all the stock and implements and supplies necessary for the raising of the crop?—A. In that case I give them one-third of all they raise.

Q. That is, you say, when you furnish everything?—A. Yes, sir.

Q. Will you explain the operations of the landlord and tenant act, as it is called, and state what it was intended to subserve?—A. It was only for the protection of the landlord in the collection of his rents. It goes that far and no farther. I have known of no oppression arising from it. I don't know that I have ever read it in full, but I know it gives the landlord a lien upon the tenant's property and crop so far as the rent goes and no farther, and after it is paid the tenants can do as they please with the balance of their crop.

Q. What is the personal exemption?—A. Five hundred dollars of personalty and a thousand of realty.

Q. If that landlord and tenant act were not in force it would be impossible for the landlord to collect his rent?—A. Yes, sir; and the tenant could go to the merchants and mortgage his crop and the landlord would lose his rent.

Q. That law operates on blacks and whites alike?—A. Yes, sir; and it prevents the landlord from being cheated if he has a dishonest tenant who would go and mortgage his crop, thereby giving the merchant a prior lien over the landlord. It only protects the landlord so far as his rent goes and no farther.

Q. What is the state of feeling between the white and black people in that country?—A. It is very kind.

Q. There are no asperities between the races?—A. No, sir; not particularly.

Q. Are there any race difficulties of any note?—A. None at all. The quietest days we have are the days of election. The colored people go and vote as they please, and generally vote first.

Q. They are good voters, are they not?—A. Yes, sir, and generally go one way; and of late years I think there has been very little effort made among the white people to get them to vote with them.

Q. What is the state of parties in your county?—A. Our county is very close. I think there is only one or two hundred difference, and it has gone Republican sometimes.

Q. By a small majority?—A. Yes, sir.

By Senator BLAIR:

Q. You speak of the removal of the colored people from your State. Please tell us to what extent any movement of the kind exists.—A. I only know of that from the statement of the ticket agent at our place. I think he stated that he had only sold some six hundred tickets.

Q. And you understand that is one of the principal points of departure?—A. Yes, sir.

Q. Is there anything in it that you could possibly characterize as a removal, in general terms?—A. No, sir; not yet; but it seems to unsettle all the other colored people. There was a man there who came to me for advice. He had accumulated property and had a house and lot, and lived with me. He came and wanted to borrow some money from me as president of the bank to buy a lot from a man who was going to Indiana. I asked him why he was going, and he said he did not know. He said he could buy the lot very low, and it was a good investment. He came and I let him have the money. He came afterwards when this crowd of three or four hundred left and said, "I guess I won't buy that lot." I asked him why, and he said, "The colored people are all going to leave here, it seems, and I may have to go myself anyhow."

Q. When was this?—A. When the movement first began.

Q. How long ago was this?—A. Two months ago. I said to him, "You may have to go yourself?" and he said, "Yes; I do not understand it as it is." I said, "There is no compulsion about it, is there?" and he seemed to avoid the question.

Q. You speak of that case in particular; but don't you think there is a very general state of unrest among them?—A. Yes, sir; there was up to two or three weeks ago, but now they seem to have quieted down; but up to the first of the year there was a general feeling of disquiet.

Q. You do not think that at the present time there is anything to be alarmed at in the movement?—A. No, sir; they are quiet now, and quite a number of letters have been received from those who have gone, some of which are favorable and some of which are not very favorable.

Q. Those letters have a soothing effect upon them?—A. Yes, sir.

Q. Is there any agitation and alarm there lest the labor system of your State should be broken up?—A. Yes, sir; there is some little uneasiness that if anything serious in the shape of the movement should take place it would affect the labor system in the farming districts.

Q. You say you see no cause for this movement?—A. No, sir; I don't know that there is any particular necessity for it.

Q. You say that the best class of your people have been alarmed at the prospect of losing their laborers?—A. Yes, sir; they have been, but I think they are not now.

Q. You think so far as North Carolina is concerned there was no necessity for a Congressional investigation into the causes of this removal?—A. I have not said so, sir.

Q. You have not believed it was necessary for these people to go?—A. No, sir.

Q. Do you know of any good people who believe that?—A. No, sir.

Q. You think some five or six hundred people just got up and went off without any cause?—A. Yes, sir; without any good cause.

Q. And the movement appears now to have subsided?—A. Yes, sir; they go now at the rate of about ten to fifteen at a time; at first there would be two or three hundred.

Q. You have a great many there, have you not, who might better their fortunes and the State by leaving?—A. Yes, sir.

Q. But the great mass of the colored people there are contented?—A. Yes, sir; I think so.

Q. And you think they will be more and more inclined to remain as *their* condition improves?—A. Yes, sir.

Q. It seems, then, that it is not a very serious matter after all?—A. It looks as though it would be.

Q. In reference to this landlord and tenant act, and the system under which your farm labor is performed——A. I understand that the colored people are the tenant class; but that law would apply to white and colored alike.

Q. What proportion of white and colored are there in your vicinity?—A. In my vicinity the most of them are colored. After you get away from the city they are mostly colored. They also have a habit of congregating around the villages.

Q. What is the proportion of white and colored people who do work under this act; that is, to rent land?—A. I don't know the proportion; I should think three-fourths of them are colored.

Q. What is the proportion of colored people among those who rent land in the State, if you can form any judgment of it?—A. I could not, because I think in the western part of the State they are mostly white. A very large proportion out there is white.

Q. The western part of the State you think has a small renting population?—A. Yes, sir.

Q. The law applies principally to the eastern part of the State and to the black people?—A. Yes, sir; it applies to some, but not to all.

Q. But as a rule a man who rents land is a colored man?—A. Yes, sir.

Q. I understood you to say that the ordinary rule is that the tenant shall have two-thirds or three-fourths of the crop, and the landlord one-third or one-fourth?—A. Yes, sir.

Q. And each takes of the proportion and the division of the crop?—A. Yes, sir.

Q. The tenant of course handles it and harvests it, and the landlord has his lien on it. Who markets it? Who turns it into money?—A. The party to whom it belongs. After the man pays his rent he is at liberty to sell the remainder.

Q. He pays his rent first, does he?—A. Yes, sir; he saves out two or three bales for a horse crop.

Q. What is that?—A. That is for twenty-five or thirty acres.

Q. That is what a man can cultivate with one horse?—A. Yes, sir.

Q He has everything he raises except the bales of cotton he pays for his crop?—A. Generally the first picking. He pays his rent and then he is at liberty to do what he pleases with the balance.

Q. About what season of the year is this division made?—A. If you rent for a certain fixed rental it is made in October. They generally take enough out of that crop.

Q. He pays his rent in kind?—A. Yes, sir.

Q. And the payment consists of nothing but a division of the crop?—A. Yes, sir; where a man rents for four bales he pays for four bales, but he goes on the same land for a third time, and that is not divided until it is kept out.

Q. What is the occasion of any lien, then, by the landlord on the entire crop?—A. Well, sir, you know the cotton crop is about three months being harvested. The landlord, if he has got a trusty tenant on his place, makes him keep out four or five bales which the tenant tells him to take on his rent. The other he keeps to use for himself, and when he gathers again he divides again. Of course the crop cannot be divided until it is gathered. Going over it the first time he could keep out two or three bales. If there are three he takes two, and the landlord one if he knows he has enough to pay the rent. Two or three weeks

afterwards he goes over it again and picks out, getting two or three more bales, and then he divides it again, giving the landlord his portion and the tenant keeping his portion.

Q I do not see under this operation any occasion for the landlord's lien?—A. Well, sir, suppose a landlord was not protected, and suppose the man who is on his land is a thriftless tenant and has used all his money and as much credit as he could get, he could mortgage his whole crop and thereby cut the landlord out of his rent altogether.

Q. Is there any principle of law in your State which would allow him to mortgage more than his interest in the crop?—A. Yes, sir; but understand me. Suppose the landlord does not live on his place, and the land he rents is 4 or 5 miles from his place of residence; the tenant might say to him, "I will pay you out of the last crop"; and if the landlord is not allowed to watch him and make him pay, he would market all of it, and the landlord would have to lose his rent.

Q. Then the law is to guard the landlord against a thriftless tenant?—A. Yes, sir.

Q. And it is made a universal mortgage for that purpose?—A. Yes, sir.

Q. And on the principle that most of the people who labor are thriftless?—A. No, sir; I don't know as to that.

Q. Do you know any place in the wide world where the laboring classes are put in a condition of that kind except it be in North Carolina or elsewhere in the South?—A. I don't know the laws of other States.

Q. Is it not true that in the State of North Carolina the colored laborers are kept in a condition of poverty and not allowed to accumulate property?—A. I never heard any complaints of that kind.

Q. Do you mean to be understood that you never heard any complaints that this "landlord and tenant act" operated harshly upon them?—A. No, sir; I never did.

Q. You are a planter, I believe, sir?—A. Yes, sir,

Q. Do you know, from the public prints and other sources of information, that there is a burden of complaints about this act?—A. I know the politicians have been agitating it.

Q. I mean the public prints, too.—A. Well, sir, they are political sheets. I never heard of any complaints about from the negroes themselves.

Q. You have known of complaints on the part of the negroes?—A. Not in my section.

Q. I mean in the State?—A. No, sir; I don't know as to any in the State.

Q. Do you mean to say that there are no complaints about it?—A. I don't mean to say that there are not some complaints, but I don't remember to have seen or heard of any.

Q. Is it not pretty generally a fact that upon the interest of the laborer in the crop there is an order made and it is liable for it? There has been a good deal of talk here about these orders.—A. Yes, sir; but the landlord is responsible for them after they are given.

Q. You have given them yourself?—A. I never have.

Q. Tell me what one of these orders is like.—A. I don't know if I get at what you are driving at.

Q. But in case the tenant wants credit at a store, if the landlord is not a merchant, the landlord simply gives him credit, or rather an order on the merchant for five dollars' worth of goods; at the same time he *charges him* with it; in other words, although the tenant puts his work *in the crop*, it cannot be divided until it is gathered?—A. Yes, sir.

Q. And he must live all the time?—A. Yes, sir.

Q. And he is without any property himself and cannot get any credit from the merchant and must fall back upon the landlord, and he gives an order?—A. Yes, sir; still there are a good many colored men who go and mortgage their interest in the crop.

Q. That is subject to any interest the landlord has?—A. Yes, sir.

Q. He knows it is subject for the rent?—A. Transactions like that depend altogether upon the interest of the tenant, and in such cases it is optional with him whether he will get his supplies from the landlord or directly from the merchant.

Q. He is to pay just what they charge him?—A. He pays the same as any man who has no credit of his own.

Q. Under this law and its operations, as you explain them, must not these laborers be kept in that condition all the time?—A. I think its operations are the same both as to the whites and blacks.

Q. Is not this system one under which he must continually labor as hard as he can and live economically, and yet end every year without means to go on?—A. No, sir, I think not; anyhow, he has his labor.

Q. Yes, but has he not means of competing for fair wages?—A. Yes, sir.

Q. Can they earn more than enough to keep them in bare necessities of life?—A. Yes, sir; they can make money by practicing economy and save what they earn.

Q. Yes, but the point is, if I understand you, to get what he earns.—A. I infer from your question that you think there is a combination between the merchant and the landlord to cheat the negro.

Q. Is it not fair to assume that is what it is, if this statute assumes that the laborer will cheat his landlord?—A. No, sir; I have not said that.

Q. But here is the statute law of your State.—A. Yes, sir; but it applies to both alike.

Q. Well, to change the question a little, is there anything in this act—a power in the hands of the landlord, or of the merchant, or between the two—to keep the laborer poor?—A. No, sir; not at all. If he is economical and saves his crop, it only takes them one year or more to be independent.

Q. Then if the law does not operate that way it must be owing to the reason that human nature is better in North Carolina than elsewhere.—A. I don't know, sir, as to that.

Q. Is not the disposition of the hiring classes to make the best they can of their labor?—A. Yes, sir; I suppose it is.

Q. Is it not the disposition of those who hire them to make the best terms and profit possible from the laborer?—A. Yes, sir; the best they can honestly.

Q. In your State men look to their own advantage in making a trade with others?—A. Yes, sir; that is human nature.

Q. Would a landed man with capital, coming in contact with the laboring man, have an advantage over the laborers?—A. Yes, sir.

Q. Now, then, they would have that advantage any way, and, in addition to that, you have protected this all-powerful class by giving a mortgage—a statute mortgage—on all that the poor produces?—A. We have, so far as the rent goes.

Q. Is that not all that it gets?—A. No, sir; he gets two-thirds of the crop when he furnishes all the supplies himself, and one-third when they are furnished to him.

Q. And that is all he gets for his labor?—A. Yes, sir.

Q. And meanwhile the landlord and merchant are creating indebtedness against that interest?—A. Yes, sir; if he runs his credit, they are.

Q. Don't you think in that they have an advantage which would make them get to taking all his productions as far as possible?—A. No, sir; I cannot say that.

Q. Cannot the merchant, taking a barrel of flour worth $6, say to this man that is obliged to have it, that he must have $10 for it?—A. He might say that to him, but I think the man would not buy it.

Q. Then he must starve?—A. No, sir; I don't think they will ever be brought to that condition.

Q. Don't they have to use their credit to the full extent that they can get it?—A. I think there are not more than one or two who get more than $5 credit out of a merchant; of course the thrifty ones will go all they can.

Q. Where do they get their provisions?—A. Where they are not furnished with supplies, they get them as I stated to you, by raising hogs and cultivating a garden and small patch. A thrifty colored family can live on what they raise, very nearly. If they have a half dozen hogs they are not likely to eat them all up in a month. I think it is only those who are disposed to be thrifty who rent lands, and others hire out for wages.

Q. What proportion hire for wages, do you suppose?—A. I suppose nine-tenths.

Q. Then, all this talk about renters applies to only one-tenth of the population?—A. I suppose that is so small it would be nearer probably to say that seventy-five per cent. hire for wages.

Q. How are they situated?—A. I only know of them in my own section; there they get so much a month.

Q. How many months do they work?—A. I hire them from January to September for wages.

Q. Is that the ordinary rule?—A. Yes, sir; I think so.

Q. What do you pay them?—A. I pay eight to ten dollars per month and give them half of it at the end of the month.

Q. In money?—A. Yes, sir.

Q. That eight or ten dollars per month is his rations?—A. Yes, sir; the first of September is the commencement of our picking season, and they all make more money in the fall months than any other. They prefer to hire until September, and then they hire out to pick cotton by the hundred. Any good picker can make a dollar a day, and gets it every Saturday night. This is the universal rule, I think, in the cotton region.

Q. How long is the cotton-picking season?—A. From about the tenth of September to the latter part of December.

Q. That is about three months?—A. Yes, sir; but they cannot make these wages in the latter part of the season, because the cotton gets scarcer.

Q. How much do they average?—A. The first month they get, on an average, a dollar a day. I have known some boys ten years old to pick three hundred pounds in a day, while there are some men who won't pick more than two hundred.

Q. How much do they get for picking by the hundred?—A. Fifty cents. In picking cotton it depends more on skill than strength.

Q. How is it as to the remainder of the season?—A. As cotton gets lighter they don't get so much. They generally pick until cotton gets scarce and light so that they can only get seventy-five and a hundred pounds a day; then they only get about fifty cents a day. In the latter

part of the season it gets colder and they go to work later. They go to work any time they please, and generally late.

Q. Does this state of things apply to the average laborers; say three-fourths of the colored laborers of North Carolina?—A. In the eastern section of the State, I think it does.

Q. There is not a very large proportion of the crop, then, that is raised by these renters of land. The landlord and laborer must raise the most of it?—A. They raise the larger part of it, of course. Men in the community there farm different; some entirely under the tenant system and some by hired labor.

Q. Take this laboring class who hire for wages, and how is it with regard to their accumulating money?—A. My observation and experience is that they save a very little money.

Q. Why is that?—A. I suppose it is because they have no disposition to accumulate. They appear to be satisfied if they get a living.

Q. Don't you suppose that many of them think if they remained there they would do no better than that?—A. I think it satisfies most of them anywhere they go.

Q. Do you think those who went to Indiana were well satisfied?—A. I think not, or they would not have gone.

Q. What do you suppose they went for?—A. If you take the negroes as a class, they are migratory in their disposition. I don't think they have any local attachments, and it is very rare when you find them so.

Q. Then this exodus is simply a change of direction; they are going North instead of drifting around in the South?—A. I have not searched for the causes, but I suppose inducements were held out to go.

Q. They go to some places where they are told they would get better wages?—A. I have been told so; there was a man sent by the colored people, or rather money raised by them to send him out to view the land—he came back—and to report to them; he reported to them that he was treated very differently out there from what he was in North Carolina; that he was asked to ride around with white people and invited into their parlors and entertained by their daughters.

Q. You think these were the inducements to these people to go?—A. I think it is natural that they wanted to go there.

Q. They are not treated that way by the white people of North Carolina?—A. No, sir.

Q. Do you see much change in the condition of these colored people, or any likelihood of a change for the better?—A. Yes, sir. If they have a disposition they can improve.

Q. Is there any such disposition among them?—A. Yes, sir; I know one man, a colored man, who started after the war with nothing, but whose note I would take for $2,000 anywhere.

Q. Where does he live?—A. He lives twelve miles from Goldsborough.

Q. But you see no general disposition to improve?—A. No, sir; I think all they want is enough to live on.

Q. Don't you think a majority of their employers take from them in some way or other all that they don't need to live on?—A. I don't know, sir; I think the employers pay them all they can afford to.

Q. The question is whether these dependent classes do as well there as they would anywhere else under the same laws—don't you think that they believe they can do better when they leave?—A. I never heard the matter with them, but I don't think they would have gone out there if inducements had not been held out to them.

Q. You think parties go there and tell them they can do better in the

North, but you don't know, as a rule, that the information they received is correct?—A. I don't know anything about it.

Q. Do you know whether they took pains to find out about their right to vote, and schools, and the "landlord's and tenant act" before going—some of them are bright enough to do that, are they not?—A. I suppose so, but I don't think they have acted much on that information, as I believe it is only the most thriftless who have gone.

Q. You have no objection to that, have you?—A. No, sir; I don't object to it.

Q. That rather adds to the wealth of the State?—A. Yes, sir.

Q. And so far as North Carolina is concerned she does not want this investigation?—A. I don't know what she wants.

Q. It is fixing these paupers if it stops the exodus?—A. I don't know that the object of this investigation is to stop the exodus.

Q. That is its effect, is it not?—A. If the effect of this investigation is to stop the movement, of course it keeps them where they are.

Q. Understand me, that a man may be a good laborer and still be a thriftless man and not save his money.—A. He may be a good laborer and still spend all he gets.

Q. If he spends it, though, he spends it for the benefit of the landlord, does he not?—A. No, sir; the landlord only gets his rent; the merchants get the balance.

Q. Then, really, these laboring men remain there as a benefit to the State?—A. Yes, sir; any man who produces is a benefit to the people.

Q. Now, have you not struck the very thing that gave rise to this investigation, and that is a disposition to keep these men there, even if they are paupers, and keep them as paupers?—A. No, sir; I think the people do not want paupers; I think the most of our people want to see them do well.

Q. They do work well?—A. Yes, sir; I prefer them to white labor.

Q. You say you prefer white labor?—A. No, sir; I prefer colored labor.

Q. Why?—A. I don't know exactly why; I believe, as a rule, they are better laborers than the poor whites.

Q. They are better laborers you think?—A. Yes, sir.

Q. And are as poor as the poor whites, financially?—A. Yes, sir; they are poor everywhere.

Q. Most of them will remain poor?—A. Yes, sir; of course a laboring man getting eight or ten dollars a month cannot get rich when he has to support himself and a family.

Q. How many colored men out of a thousand in North Carolina own homesteads?—A. Very few.

Q. Are there five in a thousand?—A. I hardly think so.

Q. Well, one in a thousand?—A. Yes, sir; I think there are.

Q. Are there two in a thousand?—A. I cannot give the numbers.

Q. How do you suppose it is in Indiana?—A. I don't know, sir; but I expect it is different there, as there are very few colored people in the population.

Q. How many white men in North Carolina don't own homesteads?—A. A very large proportion of it.

Q. Then as a rule the laborers, white and colored, are without homesteads?—A. Yes, sir; by a large majority.

Q. Do you know how it is in Indiana?—A. No, sir.

Q. Is there anything that makes a man feel independent like owning his own homestead?—A. I suppose that would make him feel so.

Q. Now, is it not a fact that in Indiana colored and other laborer—

may earn and have a homestead, while in North Carolina for 15 years they have not been able to acquire one, a good reason why they leave North Carolina and go to Indiana?—A. I don't know that they have homesteads in Indiana.

Q. But if they understand it to be as I have stated is that not a fact to account for the movement?—A. I don't know. I have never been in Indiana in my life. I am not posted in regard to that State.

Q. You have no knowledge of the condition of the laboring people except about Goldsboro' and its vicinity?—A. I really don't know much about the condition of the laboring people outside of my State, except what I have seen in the newspapers.

Q. Are you unwilling to see men with the hope of getting homesteads? It operates very strongly upon colored laborers who live in North Carolina to go North?—A. I have no idea the majority of them have thought of it. I don't think they had any such idea in leaving.

Q. Your opinion of the tendencies and ambitions of the colored race are not very high?—A. No, sir.

By Senator VANCE:

Q. Mr. Blair evidently does not understand the landlord and tenant act. It was made for the protection of the landlord?—A. Yes, sir.

Q. I will ask you if its operation does not benefit the tenant?—A. Yes, sir; I think so; such as anything else.

Q. The fact that this lien there gives him credit?—A. Yes, sir; it gives him the opportunity of having something at the end of his time that he would not have had otherwise.

Q. Has it not had a tendency to improve them as farmers and increase their desire to farm?—A. Yes, sir.

Q. It gives the landlord his rent and the farmer his supplies?—A. Yes, sir.

Q. Are you such fools in North Carolina as to think they can make more money out of paupers than men with money?—A. I stated that I think the general desire of our people is to see them thrifty; they are worth more to us when they have property, and are better citizens and laborers.

Q. Mr. Blair also tried to get you to say that this act was passed upon the supposition and assumption that all the laboring class were dishonest, and the landlord needed protection against them?—A. I don't think that motive actuated the legislators to vote for it.

Q. They have laws in New Hampshire against stealing; do you think that all Mr. Blair's people are thieves because they have such a law against thieves?—A. No, sir; I do not think so.

Q. The man who is honest and who pays his rent does not feel the operation of the law; it is never enforced against him?—A. No, sir.

(NOTE BY STENOGRAPHER.—The testimony of T. C. GROOMES, of Greencastle, Indiana, was taken upon this and the next succeeding day, but owing to delay in the transmission of certain extracts to be included in his testimony the report thereof is added at the conclusion of the entire testimony.)

On motion the committee adjourned to Friday, February 6, at 10 a. m.

TENTH DAY.

WASHINGTON, D. C., *Friday, February* 6,

The committee met pursuant to adjournment. Present, the cl and all the members. The taking of testimony was resumed as

TESTIMONY OF C. S. WOOTEN.

C. S. WOOTEN sworn and examined.

By Senator VANCE:

Question: State where you reside.—Answer. In Lenoir County Carolina.

Q. What is your occupation?—A. I am a farmer now.

Q. We want to know something about the causes of this movement, if you have any knowledge of the movement.—A. I it is a movement started there on my plantation (mine and my br last summer. I think it was some time in July that this mar made a speech at Kinston urging this movement. There was n said about it much then, and I did not know the colored peop going to take any steps in the matter; but he organized on my tion a secret society, and he made each one pay him twenty-fiv to become a member. The first idea was to go to Kansas, and t was to go to Indiana. And he made them believe that they w free. He said the government was going to pay the expenses of they told me so. I said to them that it was not so; that the ment would not and could not pay their expenses; that it wo pay their expenses any more than mine; and I said to them would not let people know I was such a fool as to believe it ridiculed it, so that I heard no more about it or this man We live about three miles from the railroad, and he taught school there in the neighborhood. I and my brother had abo families on our plantations. He made that his headquart organized this society, and then would have secret meetings. met in an outhouse there and put out sentinels to keep peopl It was going on all along in the fall, and I did not know a about it until they were making arrangements to get off, an one of the boys to tell me all about it after they had left. T crowd left my place about the middle of November. There w man who had a wife, Allen Smith; he went on to make arrangem secure a place about the middle of November. He wrote a lett giving glowing accounts of Indiana, and telling them to come on the next two weeks after, I think about the first of December, day night, all of our negroes bundled up and went. They had that on Monday a free train would run from Goldsborough, a bundled up and went off.

Q. How many went?—A. Thirty families, and left us only eigh families on the place.

Q. How did they go?—A. They went away in wagons, and some of them—any way they could get to go. It was fourteen Goldsborough; and after they got away, about ten o'clock, we go graph dispatch from Allen Smith telling them not to come. It late, though, to stop them, but some of them didn't get off; them staid there two weeks, and my brother went and showe the dispatch, and they would not believe it; they said we had factured it, because we didn't want them to leave. I said, "I h will give us some credit for sense, for, if we wanted to keep you

ufacturing a dispatch, we would have had the dispatch here before you started off."

Q. Did all of them go away?—A. No, sir; some two or three families came back. They got to Goldsborough and could not get off, and they came back and asked if I would let them come back to work. I said, "If you have got well of the Indiana fever you can come, but if you propose to still keep up this idea I do not want to have you demoralize the other hands." And they promised that they would stop it, and they are there now at work. This fellow Perry made a speech there at Kinston, and went on to tell them that they were oppressed and cheated out of the fruits of their labor, and they ought to go where they would have their rights. The editor of the Journal there commented on his speech and denied it, and this fellow Perry came out two weeks afterwards in a letter and said that myself and brother and a Mr. Rouse were exceptions, and did not cheat our hands; but more of these emigrants left our place than went from any other.

Q. And Perry, you say, got twenty-five cents from each of them?—A. Yes, sir; Perry and Williams; they had lived there in our section.

Q. Do you know what they got from the railroad to work up this movement?—A. I heard they got a dollar for every ticket sold, but the negroes said they paid him to join the society twenty-five cents each.

Q. Where is this man Perry from?—A. He is originally from Chatham County, and came down there a few years ago to teach school.

Q. Describe your system of renting, Mr. Wooten.—A. Sometimes we hire for wages.

Q. How much do you pay?—A. On an average of ten dollars. On my plantation I and my brother farm together, and we work a good many hands. We allow every one of them to have as much land as he wants to tend for himself, as we have plenty of land, fifteen hundred acres of clear land and a thousand of woods, and we allow them that free of rent.

Q. Is that to those you hire?—A. Yes, sir; they work with us to Saturday dinner, and during Saturday afternoon we allow them to use our mules and plows in their own crops, and do not charge them anything.

Q. Do you pay your hands ten dollars a month, give them a house free and fire-wood, and land to tend?—A. Yes, sir; and if he wants ten acres he can have it.

Q. And half the day Saturday and your teams?—A. Yes, sir; and a good, thrifty, industrious hand will make $50 to $100 extra if he works.

Q. Do you hire them all the year through?—A. Yes, sir; from January to January.

Q. During the cotton season, too?—A. Yes, sir; but during that season we have to take in extra hands, and we pay fifty cents a hundred. The women and children pick out the cotton, and the extra hands join in ginning and picking.

Q. Is that about the general rule that you and your brother pursue?—A. Yes, sir; it is pretty general in our section in relation to hire.

Q. When you furnish a team and feed it, and furnish all the implements, you give one-third of the crop to the tenant and three hundred pounds of bacon to the mule?—A. Some give two-fifths, but I give them the choice. They can take two-fifths, or take three hundred pounds of meat and the fourth.

Q. And the tenant furnishes only his labor?—A. Yes, sir.

Q. And you give him one-third of the crop?—A. Yes, sir; of cotton and corn.

Q. That does not include his patch that he cultivates for himself?—A. No, sir; that is all extra.

Q. And that, you say, is the general system through that country?—A. Yes, sir.

Q. What do your average lands make to the acre?—A. Of course the lands differ somewhat. If you have small lots of good land, you generally make four hundred pounds of cotton to the acre, but we make an average of two hundred and fifty to three hundred pounds of lint cotton to the acre.

Q. That is about forty to fifty bales to the two hundred acres?—A. Yes, sir.

Q. Suppose an industrious man rents land from you, how much can he make?—A. I require fifteen acres of cotton and twenty of corn to the plow, and that land, I calculate, manuring it as I do, would pay $150 worth of cotton, and the land will make three to four barrels of corn; that would be seventy-five to eighty barrels, and he would get one-third, and that would be about $225 that he would get, besides his supplies, house-rent, and fire-wood, and all that.

Q. Does one man tend that much?—A. He cannot do all the work; one hand cannot do all the planting and manuring, but he can do it all up to chopping time, when it wants four times going over; that would cost him seven dollars each time, and make about thirty dollars of expense; he would have to hire help in picking out, making his expenses probably $60 in all, and he would make all the balance. The three hundred pounds of bacon I furnish would feed him, and he would be at no extra expense for food.

Q. Have you received any news from these people since they left?—A. Yes, sir; I have received letters from them.

Q. Are they doing any better there than they were on your plantation?—A. No, sir; they want to get back. There is one letter which I got from a negro woman, written January 5, 1880.

The witness read the letter as follows:

BELL UNION, PUTMON CO., IND.,
Janary 5th, 1880.

Mr. S. I. WOOTYN:

SIR, I am now in Ind. in the worst fixt I ever was in and all the days of my life. I am out of cloes, and I have not got no where to go and no house to sta in day and or night and no boddy wount let me in with them and I have not got nothing to eat and nothing to dow to get not a cents worth for myself nor my childdran to eat no boddy wount implore a woman that have childdran and no husban brother Allen would let me stay with him but the man that he lives with dont want him to take no orther famlye with him and I am a sufren here plese send me some money to get back with to your plantation and I will work with you till you say you are pad and never will leve again plese send it to Bell union, Putnom Co., Ind. in the care of Allen Smith and I will come as soon as I get it.

Mr. Wooten please send me 25 dollars and I will worke with you till you ar well pad Mrs. Sarah Smith plese write soon and let me know.

The WITNESS. Now, I received a letter from a sister of this woman, Chloe Smith. She wrote about the same thing; she wanted to get back, and I wrote to the sheriff of Putnam County making inquiries about her. This is the reply which I got from the sheriff.

The witness read the following letter:

SHERIFF'S OFFICE, PUTNAM COUNTY,
Greencastle, Ind., January 22, 1880.

Messrs. S. I. WOOTEN & BRO.,
La Grange, N. C.:

DEAR SIRS: Your favor of the 19th inst. is received, and contents noted. After quite a *hunt I found* Chloe, and the old woman is in a most deplorable condition. She

makes a most piteous appeal to your sympathy for help. I have just had a talk with our railroad agent in regard to the most available route and the cost, &c. They can only procure tickets as far as Washington City, and the cheapest rates are $20.05 for each person over ten years of age. It will cost Chloe's son full fare, $20.05. Sarah Smith has gone out to the country, some fifteen miles, with Allen Smith. Their post-office address is Belle Union, Putnam County. I think she can get through on one fare, her children being so small. Any assistance I can render you or them I will gladly do. Chloe will be at my office some time this evening to have me write you a letter for her.

Respectfully,

M. T. LEWMAN,
Sheriff.

The WITNESS. Last week I sent forty-two dollars to pay their expenses to this place, and I wrote to the sheriff to buy her a ticket, she and her boy, to this place, and meet me here last Wednesday. I had not heard anything from them, though, until yesterday evening. I telegraphed to the sheriff to know if they had started, and here is the dispatch I got from him in reply:

GREENCASTLE, IND.,
February 5, 1880.

To C. S. WOOTEN:

Chloe desires to take her daughter with her. Send $11 more by telegraph, and I will send them all on to-night.

M. T. LEWMAN.

The WITNESS: This daughter of hers is a grown woman; her husband was on, and she wanted to come back. I said I would not send the money, but if he would go to work he could raise fifteen or twenty dollars to get her back; that I would help to get the old woman back, and he could get her back himself. Now, she wants to bring her with her, as she is in a critical condition, and does not like to leave her.

Q. That accounts for her not coming on Wednesday?—A. Yes, sir.

Q. Have you got any others?—A. I have got a letter from Franklin Jones, a fellow who lived on our plantation. This man Perry was arrested there in our county for forging a school-order. His brother was a public-school teacher, and this fellow was charged with forging a pay order and drawing too much; and some of the citizens got out a warrant against him for forgery, and they sent for me to come out there and prosecute him. I used to practice law some years ago. I went and prosecuted him, and he had to give a hundred-dollar bond. He could not raise it, and the negroes raised the money and deposited it with the officers to aid him; and this man Jones was one of the ringleaders in doing this thing, raising this money. I heard that Jones was making threats that Perry should not go to jail, unless it was over his dead body; and when I went out there, there were a good many of them with sticks standing about, and I heard of these threats, but went on; and when Perry's case was taken up, they were there in force, but behaved themselves very well.

(The witness here read the following letters):

JANUARY the 17 1879 *Greencasel*

Mr to WOOT

SIR I take my pen in hand to drop you a fewe lines to let you know that I am well at this time hoppen when thes few lines lines rech you the will fine you the same I is not sadfied heare and wont to come home and wont if you pleaze help me to come home and if you will I will pay you as sune as I can tell Mr tom wootten that I wost he wood help me home and all off the boays pary wont to come home Mr to Wootten have fond it just lake you sead these pepel hare dont not like black pepel as well as the whit pepel do thare I like old N C than enny stat I have seen tell all of my inqerren fred that the had better stay home tell Nanc Lucy Smith Smith dont come hear for

the cannot get anny work to do tell rolley wooten that wife wont him to send fo hear as soon as he can tell will liam wootten to stay at home are passt off the pepe is not jot no pace to stay tell Nanc Lucy Smith that her morther wont to com home Children hav ben warry sick and diing Same porry tole lies in ever thing plese excuse my bad hand writte north more to say I remane frend it will take 70 dollers to bring me home

FRANK JONES

JANARY the 27, 1879 *Greencas*

Mr to WOOTTEN

I take my pen in hand to wriat you a few lines to let you noow that I am weel at this time im hopping when thes few lines rech you the may fine you the same me to Wootten Sir I wash you wood if you pleaz to send me some money to bring me home, and I will pay you wen I can get thar this is not no place for black pepel for the can not get anny work to doe men can not get vary mutch to doe and I dont want to stay her if you will sen for me I will pay you as swoon as I can my farther an his famley says if you will send for him he will pay you when ever he can get thare tell you brother that I wash he wood if he pleaz to help me home if he will help me I will pay bouth of you

wriet swoon let me nowe what you ame to doe north ig more to say

I remane as you fren

FRANK JONES

Sam perry out to be hung for telling such A falshod a grate meney pepel he read that work was plenty but it is Not so if the pepel had the riet understening the is not A man in the Stat off N C wood not come hear tell yoar brother that I wash he wood help me home to & tell all off the black pepel the had better stay at home womman that is got children can not get a place to stay my baby is dead she dide the 25th december give my love to all of my fren tell Caddery to stay at home for this is a bade State to get your liven the black pepel hear dnt want the N C pepel to come hear allen Smith send the that a disspatch to you an he want to Come home all want to Come home

Sam parry most cost that we all is out hear

FRINK JONES

tell peter wootten I have rot him a letter and is got no ancy

Here is a letter in his handwriting, and headed "Sheriff's office, Putnam County, January 26":

SHERIFF'S OFFICE, PUTNAM COUNTY,
Greencastle, Ind., January 26, 1880.

S. I. WOODEN,

DEAR SIR: Send some money to me and my family, so we can come back. Send money to sheriff of Putnam County, Ind.; send it by express as soon as you get this letter. It will take about fifty-four dollars to take us all home. Tell all the rest of the colored folks to stay home—not to come up here. I will work for you to pay you back if I live to get home. Everything you told me when I started I found to be the fact.

Yours, resp'y,

FRANKLIN JONES.

Q. Have you seen any who have returned, to talk with them?—A. No, sir; but some of them have returned, but I have not seen them.

Q. Do you know what they have said about it?—A. Mr. Fields, who is summoned here as a witness, went for those two and brought them back.

Q. Have you anything to state about this movement?—A. I want to say that this idea about their being oppressed among us is all a humbug. The negro has the best chance of any laboring man in the world, if he would just avail himself of his opportunities. They are the best that are offered to any class of laborers.

Q. You mean agricultural laborers?—A. Yes, sir. To give you an *idea, one of* those old fellows who left me, with a wife and five children

got to Goldsboro' with ten cents in his pocket. He had an idea that he would go to Indiana free. I talked with him about it, but you cannot reason with them. He went there and had only ten cents. I went to Goldsboro' a couple of weeks after; his wife sent for me and asked to let them come back, and I went up there and let them come. When he left me he had a house and a patch, good wages, his firewood, and all that I give any of the tenants. But about his patch that I allowed him to cultivate free of charge, I wanted to rent it out, and I examined it, and there was between fifteen and sixteen acres that he had had for rent free for ten or twelve years. I am going to cultivate it myself, for it is fine, rich land, and make ten bales of cotton on it, yet he had it rent free, and planted only three or four acres in cotton, making forty or fifty dollars' worth of cotton, which he would go to town and trade with. I say they have the best advantages given them if they would only avail themselves of those advantages. We have plenty of waste land which they can cultivate if they will only work.

Q. Who generally sells their cotton for them and markets it?—A. Some of them who had teams of their own rent land and pay me the rent—one-third of the corn and one-fourth of the cotton. The reason they do not get as much cotton is that they have to manure it, and that makes the difference. They gin it at our gin, and when it comes time to sell it, they have the right to go and sell it, but they tell us to sell it because they have an idea we get better prices than they can. We go and sell the cotton for them, and come back and pay them their price for it. We tell them to sell their own cotton, but they say, "No; you sell it." I know a good many white people used to get my father to sell their cotton for them because they thought he could get more for it than they could.

By Mr. WINDOM:

Q. What is the feeling there now among the colored people?—A. I think it is rather abating; that is, right in our section I think there is nothing more said about it. Two or three weeks ago there was some little excitement over it in Wayne County, but I think that is rather dying out, too.

Q. Did you write to any of these colored people?—A. No, sir; never to one of them in my life. The first person I wrote to there was the sheriff, making inquiries about them.

Q. What did you propose to do in that letter?—A. I wrote to know what it would cost to get Chloe Smith and her little boy back. He is a little fellow, 14 or 15 years old, and he wrote that it would cost $20.05.; and I sent last week $42 to pay their expenses here.

Q. You wrote to none of them on the subject?—A. No, sir; I wrote to the sheriff that I did not want this woman on account of her labor, as I had plenty of that, but it was out of charity to her.

Q. You read a letter from Sarah Smith and several from Jones?—A. Yes, sir; I had two or three from Jones.

Q. Have you had any letter from any other?—A. No, sir.

Q. Is Perry a man of much influence there?—A. He did have considerable influence with the colored people there—enough to stir them up and start them off on this exodus.

Q. What time did he come there?—A. He came down sometime since the war from Chatham County. I live at La Grange, 17 miles from Kingston, and 14 or 15 miles from Goldsboro'—between Kingston and Goldsboro'.

Q. Tell us about the 25 cent charge.—A. I heard some of the negroes

say they had to pay him 25 cents apiece to become members o society.

Q. Did they tell you what the objects of it were?—A. No, sir; I asked them particularly about it. I know it was to get them off diana, and I asked what they paid, and they said twenty-five cent

Q. It was originally organized, I understood you to say, to get off to Kansas?—A. Yes, sir; and afterwards they changed their nation to Indiana.

Q. Do you know whether Perry told them their expenses woul paid to Indiana?—A. Yes, sir; I understood them to say that the pected a free train every Monday to carry them out there.

Q. Who was this man Smith?—A. A colored man who lived with me.

Q. Is he out there now?—A. Yes, sir.

Q. What did he say?—A. He says he told them not to come.

Q. That was from Indiana?—A. Yes, sir; I received a dispatch him on Monday after they had left, about 11 o'clock. They all left morning, and went up to Goldsboro'. He said in his dispatch to te my folks not to come.

Q. You have not heard direct from him except through that dispate A. No, sir. These two women that I speak of are his sisters, and letter from Sarah, I think, is in his handwriting. She cannot write self. We have received no letter from him personally.

Q. Do all the negroes find ready employment in your section of cou —A. Of course sometimes we are more busy than at others. Of c at this time of the year we are not so busy as in the chopping and ing out season; but it does not cost them anything to live, as they a house and wood all free, and have this chance to make extra c Now this woman, Chloe Smith, had made enough that she had atte to herself to last her all winter, and had plenty of corn left.

Q. Do they have the same privileges on other plantations?—A. sir; it is a pretty general rule.

Q. You say the idea of their being oppressed is all humbug?—A. sir. There may be individual cases where some of them are oppresse taken advantage of.

Q. Do they vote freely?—A. Yes, sir; I have seen no intimidati that regard except it was where the negroes intimidated one who wa to vote the Democratic ticket.

Q. Is there much of that?—A. No, sir; for there are not ma them who want to vote that way.

Q. What are the politics of your section of the country?—A. M tion of the country is a large Republican and negro district. They 12,000 majority there. My county has always been Republican e in 1874, when they nominated a negro for the legislature, and the Republicans would not vote for him, so a Democrat got in.

Q. With that exception it has always gone Republican?—A. Yes and so has my precinct, and I never heard of any intimidation the

Q. Did you hear of any complaint that they have made of op sion?—A. No, sir; not any.

Q. You think they are satisfied and contented?—A. Yes, sir; e since this movement began. Since Perry went there and stirred up they have not been so well satisfied. If he had not gone there disturbed them they would have been there to-day perfectly conte and satisfied.

Q. Then you attribute it all to Perry?—A. Yes, sir; in our se *I do.*

Q. And as you understood it he was hired by the railroad company?—A. Yes, sir; I understood from the newspapers that he got a dollar a head for each one he sent off.

Q. What proportion of those who left were men?—A. There were thirty families, I suppose, averaging five children to a family. About twenty-five men left, and there were five or six women who were not married who left at the same time.

Q. So from your plantation how many went?—A. One hundred and twenty-five to one hundred and fifty, including the children.

Q. And of these twenty-five were men?—A. Yes, sir; and some five or six boys, eighteen or nineteen years old.

Q. And of all who left you have heard of no dissatisfaction, except from Smith and Jones?—A. No, sir; I have heard of no others except of that man who wanted to get his wife on our plantation. They say there, at least I heard some of the colored people say, that it was all a plot on his part with a gentleman there on the place to get her off. I do not much believe he wants her to come back.

Q. You read from some letters that they do not like colored people in Indiana?—A. That was in Frank Jones's letter.

Q. We have had some evidence here of a man who had a house burnt down in Indiana because of employing them; do you think that would have a tendency to make them want to come back home?—A. Yes, sir. I read of that case.

Q. Do you think it is very general evidence of dissatisfaction that two or three want to come back?—A. Jones wrote that all of them wanted to come back. I have heard nothing else though. I will make a statement that on my plantation we have between forty and fifty families, and not a white family on it. They were all colored. The negro has the preference and all the best land for farming. He is preferred as a laborer and a tenant. I prefer them, and I had no white men on my plantation; but after they left, the day after, I had fourteen applications from white men who came in from poor places to get better land, and now I have ten families on my place, and I took them in. I did not know to what extent this movement was going.

Q. Would it not be an advantage to the white people of North Carolina to distribute them throughout the country; I mean the negroes?—A. I do not think it would be a very great disadvantage to our State.

By the CHAIRMAN:

Q. That is, if the white laborers came in to take their places?—A. Yes, sir.

By Senator WINDOM:

Q. On the whole, you think it would be an advantage?—A. Yes, sir; though it would disarrange the labor system for a while.

Q. Then you think there is a superabundance of labor there?—A. Yes, sir; there is plenty of it, and yet we have plenty of territory undeveloped. If we had capital to work it we would use it all. We have undeveloped territory for four or five times the population we have got.

TESTIMONY OF F. B. FIELDS.

F. B. FIELDS sworn and examined.

By Senator VANCE:

Question. Where do you live, Mr. Fields?—Answer. At La Grange.

Q. In what county?—A. In the county of Lenoir, North Carolina.

Q. What is your occupation?—A. I am a retail dealer and distiller of whisky.

Q. Do you farm any?—A. No, sir; I have a small farm, but do not farm upon it.

Q. State if you know anything of the exodus of these colored people from our State.—A. I do not know anything of the cause for it.

Q. Do you know anything of it at all; did you go out to Indiana to see some colored men who left your section?—A. One of them wrote to me to get back and another telegraphed.

Q. What were their names?—A. Nathan Wade and Amos Dawson.

Q. Did you go?—A. Yes, sir.

Q. State what you heard and what took place. Tell us about that trip.—A. Well, I went to Indianapolis and found Amos; left him there when I went to Greencastle after Nathan and brought him back to Indianapolis that afternoon, and the next day they came home.

Q. You brought both of them back?—A. Yes, sir.

Q. And they wanted to come home?—A. Yes, sir.

Q. Why?—A. They were not satisfied out there.

Q. What did they tell you about their condition out there?—A. They stated it was very poor.

Q. Did they give you any of the particulars?—A. They stated they could not get work enough to satisfy them and make a living. I asked one of them what he had been doing, and he said he had been shucking corn; he said they called it husking out there.

Q. He said that he could not get work enough to make a living?—A. Yes, sir.

Q. Did both of them tell you so?—A. Yes, sir.

Q. Had they their families with them?—A. Amos's family was there with him; Wade had one in North Carolina.

Q. You say Amos had a family there?—A. Yes, sir.

Q. Did he bring them with him?—A. No, sir.

Q. Did he leave them there in Indiana?—A. Yes, sir.

Q. Why did he leave them?—A. He did not want them to come; he left them; there had been some general dissatisfaction in the family; they left him first and went on, and he left and went out there to look after them; when he went away he said to me, if I want to come back I want you to help me, and I said I would do it.

Q. Which one was that, now?—A. That was Amos Dawson.

Q. Did you talk to any others?—A. Yes, sir. Some of them said they were doing well, had plenty of work, and were getting fair pay. I don't know whether it was true or not, but I did not see them at work. Some of them said so and some did not, and some of them wanted to go back with me. Six of them asked me to bring them back, but I would not do it.

Q. Six of them wanted you to bring them back?—A. Yes, sir.

Q. And some said they were doing well enough?—A. Yes, sir.

Q. What have you to say of the condition of these people in Lenoir County?—A. It was good.

Q. Is there any oppression of them there?—A. None that I know of.

Q. They always vote freely there?—A. Yes, sir; in our section they always vote their sentiments, so far as I know.

Q. What are the opportunities of an industrious, sober colored man to make a living compared with the poor white man?—A. They are the same; any man can make a living who tries.

Q. What are your politics?—A. I am a Republican.

Q. Is your county a Republican county?—A. Yes, sir.

Q. And has been since reconstruction?—A. Yes, sir; since the war.

Q. Have you received any letters from colored people out there since your return?—A. No, sir. If I have I don't remember it.

Q. When did you go to Indianapolis?—A. I got there the last day of December, at night.

Q. Have you any information from them since your return?—A. I can only state that from reports.

Q. You have a right to speak of what you have heard.—A. I heard it remarked that this man Perry was at the head of it.

Q. Do you know of his making any speeches in your county?—A. I think I did. I think he made several in La Grange one Saturday evening, when there was a good many colored people there. I did not hear him. I heard Peter Williams and a man named Barker.

Q. What did Peter say?—A. I don't remember.

Q. Do you know what inducements were held out to these people as to the wages?—A. Only from reports. I heard they said the wages were better than in North Carolina.

Q. What are the average wages of a good hand in your section?—A. They run from six, eight, ten, to twelve dollars a month, according to the hand.

Q. What lands do they get?—A. They get a little garden patch and house rent free.

Q. And fire-wood?—A. Yes, sir.

Q. That is the general rule?—A. Yes, sir, I think it is; it has always been the case on my little farm.

Q. You have always given them that?—A. Yes, sir. This man Dawson lived on my plantation thirteen years.

Q. As a hireling or as a tenant?—A. Both; he rented his own farm, and when I wanted to hire him I did so.

By Senator WINDOM:

Q. Did anybody go back with you except Dawson?—A. Dawson and Wade.

Q. Dawson's family went away before he did?—A. Yes, sir.

Q. And he said he was going to look after them and he arranged with you to help them to come back?—A. Yes, sir; that was his last remark to me.

Q. Then he was not a genuine exoduster, but went to see after his family?—A. Yes, sir.

Q. Wade went out to look and see what the advantages were?—A. It is reported that his friends sent him on there, but I don't know whether it is true or not.

Q. Did you learn from him anything of that?—A. No, sir.

Q. You say there were some others who wanted to come back?—A. Yes, sir; they asked me if I would carry them.

Q. Did they state any of their dissatisfaction?—A. No, sir; they were all strangers to me. I asked their names and they gave them to me.

Q. Your understanding was that they thought they could do better by going to Indiana?—A. That was the report, that the wages were better out there.

Q. But they thought they could better their condition?—A. That was the report.

Q. Have you heard of any dissatisfaction that was expressed generally among the colored people in North Carolina?—A. Not until this excitement came up.

Q. Did you hear of any dissatisfaction or anything in the courts?—

A. No, sir; they have always been doing well and had justice, I believe.

Q. This, you say, is a strong Republican county?—A. Yes, sir.

Q. And the negroes are all Republicans?—A. Yes, sir.

TESTIMONY OF JAMES BUCHANAN.

JAMES BUCHANAN sworn and examined.

By the CHAIRMAN:

Question. Do you reside in Indianapolis, Mr. Buchanan?—Answer. Yes, sir.

Q. What is your occupation?—A. I am an attorney-at-law.

Q. Will you please state to the committee whether you have been in any way engaged as to cause you to study the labor question in your State, and to know the demand for labor, the supply, or whether the supply is equal to the demand, and whether at this time or in the last six years there has been any demand for a labor immigration into Indiana such as that from North Carolina?—A. I have been since 1873 more or less actively inquiring, for political reasons, into that subject.

Q. State whether you have been engaged in journalism.—A. Yes, sir; a portion of the time.

Q. Have you been one of the editors and proprietors of the Indiana Sun?—A. Yes, sir.

Q. What are your politics, Mr. Buchanan?—A. I belong to the National Greenback and Labor party.

Q. State whether you have devoted much of your time to a discussion of political questions from your standpoint.—A. Yes, sir; somewhat extensively.

Q. Will you give the committee the result of your examination into this labor question?—A. The results, as it pertains to the facts in the State of Indiana, are these: There is, to state it broadly, no demand for labor in that State that is not amply supplied within the State at any and all seasons of the year; indeed, there is a surplus of labor in the State at certain seasons of the year. There are perhaps only three or four weeks in the year when all the labor in the State can be profitably employed, and that is the harvest season in the summer time. My position politically brought me in contact with men coming from all parts of the State. At my location in Indianapolis I naturally see numbers of people from every section, as that city bears a relation to all parts of the State that no other capital city of any State on the continent does, since it is in close connection with all parts of the State. There is once in a while a demand for labor in particular townships. Take the township of Pike, for instance, and there was last year a demand for labor in that township, but at the same time in Indianapolis and in Marion County there was enough idle labor and more to supply all that Pike Township required and two or three more. In my office I will safely say there are on an average two to three every day in the year who come around inquiring for situations or opportunities for employment. The position I have occupied politically, advocating especially the labor interests, is perhaps the reason for their applying at my office more than at others; and also, I may say, at my house I am applied to by one or two persons a day for employment, some of them being white and some colored.

Q. That is, it would average one a day all the year round?—A. Yes, *sir.*

Q. Is it not the fact, Mr. Buchanan, that in the mean time there is actual suffering at many points in Indiana for the want of employment by these people?—A. There can be no doubt of it. There has been ever since 1873, a year which deranged the manufacturing pursuits of the country, a continuous suffering among a portion of our laboring population. There is not enough labor in agricultural communities where they employ wage hands to take up the labor of all those seeking employment. They cannot now earn enough during the time when they can be employed to carry them through thew inter in comfort.

Q. You were raised, Mr. Buchanan, on a farm as a young man, as well as I was?—A. Yes, sir.

Q. And you are familiar with farm labor?—A. Yes, sir; I have been all the time.

Q. Something has been said here about there being a demand more than usual in harvest time for labor; do you know of any demand of late years even in harvest time that could not have been supplied, or that cannot now be supplied, by our own hands?—A. No, sir; yet in good seasons there are times when mechanics are in demand, but I do not know of any time when all the labor has been demanded that could be supplied by our own people. None of the harvests have gone to waste from the want of labor to take care of them. They have been rained on sometimes and damaged in that way, but have not been lost from the want of labor to house them.

Q. If there should be a demand for extra labor in harvest-time, about what length of time would this demand last?—A. In some localities it would last two or three weeks. It begins down in the southern portion of the State, where the wheat ripens first, and then moves on towards the northern portion of the State, where it is later in ripening. The time between the two is probably six weeks.

Q. Is there as much demand for labor during the spring as during the harvest time?—A. No, sir; and I will remark here that the suffering has mostly been among the mechanics. Their employment, especially that of house-carpenters and brick-masons, is outdoor employment. They are generally employed in building, and when it comes to the winter season building operations are mostly suspended. This is true anywhere and at all times; but since 1873 and the financial panic which occurred at that time there has been little or no employment for mechanics in Indianapolis at any season, because building operations have stopped, so that skilled labor has been driven to seek employment on the farm. Many times men of families have been compelled to take labor upon the farms in the country, and I have known of much suffering among this class of people. I have myself employed some of them when I did not need them.

Q. Has there been any winter since 1873 in Indianapolis where it has not been the daily practice and duty of the town trustees to feed, in charity, able-bodied men and women who are willing to work to earn their living if they could get the work to do?—A. That is true, sir.

Q. And that is true now?—A. Yes, sir; but not so much so as formerly, it has improved a little and mechanics have been scattered away from there and gone west to seek employment.

Q. The winter, Mr. Buchanan, has been mild?—A. Yes, sir; families that have worn their old clothes, where in good times they would have bought new ones, denied themselves the comfort which they would have had if their labor could have been employed.

Q. You have an office here, Mr. Buchanan, so I see, and you are practicing law; have you been home since this movement struck Indianapo-

lis?—A. I left Indianapolis on the evening of the 5th of January, and have not been home since.

Q. Then you have not had much observation of these immigrants?—A. No, sir; I know very little, except what I have heard.

Q. You know enough to know that they have been constant paupers upon the charity of the public?—A. There is no question, I think, of that. I understand there are 200 there now on charity, and I think that that is not denied by any one.

Q. Have you been observant of the position of the press of the State on this immigration question?—A. Yes, sir, to some extent, but I don't know that I know the position of the whole press of the State.

Q. Have you seen any notice in any of the Republican press of the State that these people were paupers and their presence was not desired in Indiana?—A. I think I saw it in the Indianapolis News.

Q. Do you call it a Republican newspaper?—A. Well, sir, it manages to get in and support the Republican ticket every time. I think it has always done that since the Greeley campaign.

Q. But it is opposed to the exodus full drift, is it not?—A. I think so.

Q. It calls itself independent, does it not, and has Republican tendencies?—A. Yes, sir.

Q. Do you know of any other paper that has said the same thing?—A. No, sir; I think not. I will state that outside of Greencastle, Putnam County, and Indianapolis, I know of nothing as a basis of quotation on this subject. The Greencastle Banner was a leading advocate of the movement, and all the other papers would copy from it and comment on its statements; that is the nature of the discussion that has been going on in the State over this subject. The Democratic and National papers were opposed to it, not because they did not believe, as I did, that a man has got a right to go where he pleases, but because these men were imported in the State from wrong motives.

Q. Don't you think that you and they opposed it because these people were better off in the South than they were in the State where they could not find employment and support?—A. From what I have learned I think their condition is better in North Carolina than it would be in Indiana.

Q. You were always a Republican, that you know?—A. Yes, sir; I helped to organize the Republican party and abolish slavery.

Q. And you were as much gratified at that result, the abolition of slavery, as anybody in the State of Indiana?—A. Yes, sir.

Q. And you believe that the negro has an absolute right to stand upon the same footing in their relation of leaving as anybody else?—A. Yes, sir; I think it is God's given right.

Q. Then it is not prejudice against the colored man that makes you believe he should not go to Indiana?—A. Not in the world, sir; but certain facts are facts, and I believe that the white people in North Carolina have in a certain sense a better feeling toward the colored people than have the white people in Indiana; the people divide there in some sense according to their feelings. It is true that the idea of the political rights of the negro has the same effect upon the average Democrat that water would have upon a mad dog; to a certain extent in Indiana the same feeling is shared by Republicians; these things are played upon and operate to the detriment of the negro. I have friends and relatives living in the South; my father and mother came from the South, and were of what they called certain abolitionists of the intensest character; but I think the Southern feeling is better towards the negro than the feeling in the North. As to these whites of the North, these

leading Republicans in Indianapolis, who are encouraging this movement, I believe their motive is to gain votes for the Republican party without regard to the social and industrial position of the voters; they seek gain. That opinion is founded on the drift of comment and what I know the facts to be. The Indianapolis Journal is the leading Republican organ of the State, and in my judgment is excessively economical of the truth.

Q. Do you state that under oath, that it is very economical of the truth?—A. Yes, sir; and the Indianapolis Sentinel is the leading Democratic organ of the State, and I do not consider it as exceedingly reliable in its comments on party matters. It takes the other extreme; the one Republican, and the other Democratic.

Q. Do you think, from your old Republican sentiments and antecedents and your connection with the study of the labor movement, that you have taken an impartial view of this subject?—A. I think I have. Every man might not feel the same way upon these subjects like myself. My position on the slavery question was not simply that it was for one man against another, but I thought that the negro had the right to the fruits of his own labor. I think, however, that another system of slavery has supplanted the one that was abolished.

Q. What system of slavery do you think has taken the place of the one that was abolished?—A. Financial robbery of the people through the agency of monopolies and class legislation.

By Senator VANCE:

Q. I suppose, sir, from your examination, that you have had some considerable study of the labor question. You have heard the examination of Mr. Wooten and Mr. Fields, the two gentlemen from North Carolina?—A. Yes, sir; a portion of it.

Q. The substance of their testimony as to what was paid farm laborers in North Carolina was that they got $10 a month wages, house-rent free, a garden patch, and fire-wood free, and that the hiring extended over the entire twelve months. I desire to ask you whether farm labor is any better paid than that in Indiana?—A. No, sir; it is not so well paid. During certain seasons our farmers might pay better, but for the regular season for a laboring man he is not thus well provided for.

By Senator WINDOM:

Q. You have spoken, Mr. Buchanan, of the economy of truth practiced by the Indianapolis Journal in its discussion of party questions do you think the Sentinel, which you say is the Democratic organ, practices the same economy?—A. I think it is a full brother.

Q. You think the only papers, then, that have a monopoly of the truth are the Greenback papers?—A. No, sir; I do not say that.

Q. Are they the only papers that tell the truth in Indiana?—A. Well, sir, they have not entered into this fight very much.

Q. But do they tell the truth, and are they the only papers that do tell the truth in Indiana?—A. As a general proposition, with reference to this movement, they have stated the whole truth without entering the contest over the issue.

Q. You have not answered my question. I desire to know whether you think the Greenback papers are the only papers in Indiana that tell the truth on this subject?—A. Of course, sir, there have been prevarications in them as well as in other papers.

Q. Then you think they may not have told what is true about this movement?—A. I have not expressed it that way, sir.

Q. You regard that the Greenback papers are very lavish of the truth?—A. In relation to these facts, I think they are.

Q. Then the Indianapolis Sun was the only one of the leading papers of the State that you could rely upon to get the truth about the exodus?—A. I think you could rely on any of them where there was no partisan interest involved.

Q. But do you mean to back up the Indianapolis Sun as the only paper giving the truth in the discussion of these questions?—A. I will back the Indianapolis Sun on its statement of facts as long as I was connected with it.

Q. And that is the only one of the leading papers of the State that you will back?—A. I will not back them to the same extent.

Q. Is there any improvement in the times in Indiana?—A. In one sense; yes, sir.

Q. Will you tell us in what sense you have realized this improvement?—A. The Lord has been very kind to Indiana and given it an immense wheat crop, which has brought more money than we have had for several years. That amount of money enables those people to get some comforts from which they have heretofore been deprived.

Q. Do you think that improvement is not permanent?—A. No, sir; I think not. It may last a year or so, but I could not predict that it is permanent.

Q. Then you mean to say that the wheat crop is to be credited with any improvement in the times in Indiana?—A. Yes, sir; we had an immense wheat crop while there were short crops in Europe. This latter fact created a demand for our wheat and hence the improvement.

Q. You think that is the cause of the improvement?—A. Yes, sir.

Q. In your judgement it is that and nothing else?—A. Yes, sir. When you speak of a general revival of business, as the term is used in discussing the present situation, I understand it to mean a revival in the financial condition of the people, in the employment of labor, which enables all who desire it to have employment; and in that sense there is not a general revival of business.

Q. You find more people now who can find employment than could do so some time ago?—A. No, sir; not in Indiana.

Q. Do you think Indiana is worse off in that matter than the other States?—A. No, sir.

Q. Then you think there is no general revival of business anywhere?—A. No, sir; in the sense I explained to you I do not.

Q. Is it not a fact that your party, the National Greenback Labor party, do not take a very cheerful view of the condition of the country?—A. We take a full and fair view of the facts. I do not think a funeral is a very cheerful thing at any time.

Senator VANCE. That depends on who is being buried. [Laughter.]

By Senator WINDOM:

Q. You have sworn, Mr. Buchanan, that there is, in your opinion, no general revival of business; now, will you please explain what you mean and what is the character of the improvement which you admit has taken place?—A. No, sir; I do not think that there has been a general revival of business, but there has been an apparent revival. In transporting the products of the year from the producers over to the consumers it gives activity to business, an activity that appears to some persons to be a revival of business, but which is not a revival of business such as I have explained to you.

Q. Are there any more manufactories in operation now than there *were five years* ago?—A. I do not think all of them are in operation.

Q. Then you think the factories are quite as silent now, or more so, than they were five years ago?—A. Well, sir, I would fix it at 1873 and 1874.

Q. Well, speak of four years ago?—A. Well, sir, Indianapolis did not feel the suffering arising from the panic in 1874 and 1875. Its worst time was in 1875 and 1876. It is not so bad there now as in 1875 and 1876, but that is due largely to the fact that the surplus labor of those years has thinned out and gone off to other places.

Q. Well, sir, you seem to have made this an economic study, and I am anxious to have your opinion on the record regarding this revival of business?—A. I do not think there is any substantial revival on a basis to be permanent.

Q. There are as many factories running now as there were five years ago, are there not?—A. I think not.

Q. Well, sir, how many? Give us the proportion for the two periods as nearly as you can?—A. I think there are not more than one-third as many that are idle, but the basis of my calculations on that point may be erroneous.

Q. Your view is that there is no more substantial employment to be given to the people in the United States to-day than there was five years ago?—A. There is no more. There is no more measured by the compensation of the labor.

Q. That is, there is not the amount of wealth being produced in the country now as there was before the panic, but there is some more than there was in 1876 and 1877; what is the percentage of the increase?—A. I cannot say, sir.

Q. Is it ten per cent.?—A. I think so, sir; but I do not think that this increase is due to any party policy, but that it is God's work.

Q. But you think there has been ten per cent. more employment given to the laborers of the country?—A. Well, sir, the compensation of labor is not as great as it was four years ago. Then the wages that are paid when parties are employed are very little higher than they were when the number of laborers was greater.

Q. Is it not very much greater, Mr. Buchanan; would you not say it was 10 per cent. more?—A. Or should say there are 10 per cent. more individuals who can't find employment.

Q. Would you say 20 per cent.?—A. I don't think 120 men have employment now where 100 were in 1876.

Q. Then you don't think the employment amounts to 20 per cent?—A. No, sir.

Q. And do you think that is the true state of the country generally?—A. I don't know, sir; that is only guesswork at best.

Q. Well, 10 per cent. improvement makes a very great difference?—A. I don't know, sir, as to that matter.

Q. What is your opinion?—A. I cannot state, sir.

Q. But you do think there is 10 per cent.?—A. I have my doubts as to that.

Q. You have your doubts as to whether the general condition of the country is improved 10 per cent.—A. Labor in the amount of its improvement I don't think has increased 10 per cent., and in its compensation I don't think it is quite up to the mark, as I explained to you a short while ago, of men, the wealth produced by it, and added to the aggregate sum of the nation's wealth.

Q. You think there is not 10 per cent. being added to the nation's wealth?—A. No, sir.

Q. And you think the prospect generally is gloomy?—A. I think

that we are all upon a basis in this country where we are likely to fall into ruin in ten years.

Q. Then you take a dark view of the employment of labor in the country, quite as dark as you do of the employment of colored people in Indiana?—A. I have not spoken of the employment of colored people in Indiana especially.

Q. Well, then, you take the same gloomy view of the whole country?—A. Yes, sir; but I have not been speaking of the condition of the country, as a general thing to apply everywhere. Now, in some localities it is different, and the improvement appears to be substantial. You have factories upon the Ohio and Wabash that are doing their full amount of business. You may take the glass factory at New Albany, where, I understand, they have orders two months ahead of their capacities.

Q. You stated awhile ago that 200 of these people were living upon charity in Indianapolis.—A. Yes, sir; and parties were soliciting charity for them. When I was there I was asked to give something to help them. I heard Mr. W. R. Holladay, at the Ebbitt House, no longer ago than last night speaking of it; he was criticising what was said by a Mr. Bogley, a prominent negro in Indiana, and denied that there was need and employment for these negroes.

Q. Then he is not in favor of the exodus?—A. It was reported that he was engineering it and shipping them to Indianapolis in mail-cars. I think I heard Mr. Krouse there state something of the kind.

Q. What is Mr. Krouse's politics?—A. He is a National.

Q. Then he takes the same gloomy view of the situation that you do?—A. I do not think that is necessarily a gloomy view; a truthful view is not necessarily gloomy.

Q. You said awhile ago that you did not think a funeral was a very cheerful thing, but rather a gloomy one. Would you think that a truthful funeral would be gloomy?—A. Not necessarily.

Q. You stated that leading Republicans wanted these people out there to vote. What do you know about that?—A. I qualified that, and stated that if I could go into it I would give my reasons for so speaking. I know that Mr. Holloway and others, when spoken to upon the matter, would make light of it on the idea that there was a demand for labor and for these people.

Q. Then he does not take the same gloomy view of the condition of the country that you do?—A. If you want to hear what he says and my views upon it, I will tell you.

Q. You have been very liberal in denouncing Republicans of Indiana for encouraging, as you claim, this emigration for the alleged purpose of using their votes?—A. No, sir. I do not think that is a proper inference.

Q. Didn't you say that the Republicans wanted them there to vote?—A. Yes, sir.

Q. Didn't you say that the leading Republicans of Indianapolis were encouraging and aiding the movement?—A. Yes, sir; but they are not all the Republicans in Indiana, and they do not run the party in that State. They have tried to several times and failed. And I will state that I think if there was a vote of the Republican party of Indiana taken upon the subject nine out of ten would vote against it. I do not think they want these negroes there.

Q. Now, then, according to that statement, one-tenth of them do.—A. Yes, sir. Those who expect to make office out of it would like to have them there.

Q. Can you name any of those, any of those leading Republicans of Indianapolis who would like to have these negroes in Indiana to vote? —A. Well, sir, there is Mr. John C. New, Mr. Holloway, Judge Martindale, and Mr. Wildman. I have heard them all say there was room enough for all the labor in the State that could come there. I say myself that in one sense that is true; if they bring men there with money to open up coal mines, forests, and farms, to build iron-works, and all that, if they mean that kind of labor, I agree with them; but if it is labor without capital, seeking wages only, I say it is false.

Q. You say you agree with them if they mean it in the sense that you have indicated? How do you know that was not the view they took of it when they made the statement?—A. It is impossible it could have been. It is these poor class of people who are coming in there now, and it was with reference to them they were speaking, and not of the other class in the slightest. These negroes who come from the South and have to be supported by charity as soon as they get there, you may well know they have not capital and credit to begin on.

Q. Then because these gentlemen do not agree with you as to the industrial wants of the State, you swear that their desire is to import voters?—A. I always assume, sir, that if a man is sane that he has got a motive for what he does. If he agrees to the fact that two hundred of these people are there supported by charity to-day because they cannot get employment, and he still tries to bring more of them, I cannot see what motive can be in it except it be to use them as voters.

Q. Did you hear any of those gentlemen or any other Republicans advocate their being brought to Indiana for that purpose?—A. Yes, sir; the Indianapolis Journal did.

Q. Will you refer me to the date of the issue in which that was said? —A. I cannot say positively what the date was.

Q. Do you swear that any such article was ever put into that journal or ever appeared in it in any shape advocating this exodus to Indiana as a means of importing voters into the State?—A. Not in that language, sir.

Q. Then, what was the language?—A. It said that there was room for the people, able-bodied male laborers, in the State.

Q. What reason have you to infer or to impugn their motives in the way that you do?—A. I do not know that I have done that.

Q. Don't you think it is a bad motive if it is to bring them in there in order to carry the State in the interest of a political party?—A. Not if they bring them in there to vote according to the laws of the State. I do not think a man should impose on another one for any purpose in the world, and I do not think it was right to bring these men there and colonize them to carry elections.

Q. Then, do you think it is right or wrong under any circumstances to bring them into the State in order to carry it in the interest of their party?—A. For that purpose, sir, I say it is wrong.

Q. You must recollect, sir, that you have made a severe charge on these gentlemen, and I want to know upon what ground you have made it?—A. I say they tell these people to come, and that is the only charge I have made against them.

Q. You say they know that there is no room there for them, and still they tell them to come?—A. I have given you the facts, sir. I conversed with Mr. Holloway about it, and he concedes that there are two hundred women and children there being supported by charity; that means that they are without employment or the means to support themselves.

Q. Did he say they were brought there for voting purposes?—A. O course, sir, he would deny it, but I have my own opinion of it. O course I do not think that they bring women and children there to vote.

Q. Do you think one-fifth of those people are voters?—A. I do not think that one-fifth of these people who came are voters.

Q. Do you think that if these people, these leading Republicans that you spoke of, wanted voters brought into the State they would send and get four or five women and children in order to get one voter?—A. I have not said that, sir.

Q. You think they would not, then?—A. No, sir.

Q. And you think that is about the proportion among those who have come?—A. Yes, sir; I think so.

Q. Then, if you make the charge against them that you have made in your direct examination, you charge them with a want of common sense?—A. Well, sir, I think they would have been glad not to have had any women and children come, but to have had them all voters.

Q. You stated that you judged all this to be the case from the expressions of these men themselves. Now, have they ever said one word to you about these people coming there as voters?—A. They have stated that there was work and room in the State for able-bodied male laborers, but not any demand for the labor of women and children.

Q. Do you state your belief to be that the leading Republicans of Indiana had nothing to do with sending these people out there?—A. I think, perhaps, not a half-dozen of them would approve of it or favor it except in the sense of not disapproving of it.

Q. You think not a half-dozen of them, then, ever had that motive which you attribute to the Republican party as a mass; in other words, you do not believe that this was a party movement?—A. That would depend on what you call a party movement.

Q. Didn't you state awhile ago that these very men do not constitute the Republican party of Indiana?—A. I stated so, and to what extent I thought they were participating in this movement.

Q. Didn't you say that these men were not the party?—A. A party, sir, is often chargeable with what its leaders do.

Q. Didn't you mean to repudiate the idea that they were the Republican party of the State?—A. I repudiated the suggestion of your question. You said they constituted the Republican party of the State, and I said they did not.

Q. You do not think these half-dozen men represent or constitute the Republican party of Indiana?—A. There are probably 250,000 voters in that party, and these men certainly cannot be 250,000.

Q. Do you think that they represent it?—A. I do not think they do.

Q. You think a half-dozen, though, want to see these men come there to vote, and the others do not?—A. I think there are a half-dozen there who do want to see them come there for that purpose.

Q. Will you give us the names of that half-dozen?—A. Yes, sir. Mr. Holloway, the postmaster; Mr. Martindale, the editor of the Journal; Mr. Reynolds, one of the assistants to Mr. Holloway, Mr. New, the chairman of the Republican State Central Committee; Mr. James A. Reynolds, the ex-auditor of the State, and Mr. John T. Pressley, the present sheriff of county.

Q. Is that all?—A. They are the only ones, I think, who would take any lively interest in the matter, but I do not say they have been so.

Q. You do not know that they have done so?—A. I do not know it.

Q. And you think it is quite right to attribute such a motive to them

if you do not know that they had it?—A. You can attribute a motive to a man for what he does.

Q. That is, then, if he does not agree with you in politics or in the view that he takes of the industrial necessities of the State and the gloomy condition of the country generally, his motive is a wrong one?—A. Well, sir, I say that these negroes have come to Indiana without any good cause.

Q. Will you please be kind enough to tell me what you heard these gentlemen say upon this subject?—A. I have not talked with Judge Martindale particularly about it, but I have heard him express an opinion in the presence of others that there was ample room in Indiana for all the laborers, able-bodied, that could get there.

Q. Did he say anything about politics in that connection?—A. No, sir; but he said that negroes were preferred as laborers.

Q. Well, they say the same thing about them in the South?—A. Yes, sir; I heard it said here this morning.

Q. Did he say anything in that conversation with reference to this exodus being a political movement?—A. Not a word, sir, as to partisan politics, but we attribute to him the responsibility for the policy and conduct of the Indianapolis Journal.

Q. Has he ever said anything of that kind?—A. Well, sir, when the Sentinel would denounce the exodus the Journal would copy what it said, and add that there was room for ten thousand of these people in the State, and that their coming would add to the Republican vote.

Q. Do you think or know that anything of that sort ever appeared in the columns of the Journal?—A. Yes, sir. I think it was about the month of December.

Q. Do you say on your oath that it is in there?—A. I think it is in there.

Q. Are you quite sure that you did see any such expression as that in there?—A. I think it is there, sir.

Q. You doubt your recollection on it, do you not?—A. I do not, sir.

Q. Well, Mr. Buchanan, you live here, and will you show us that extract if you can find a file of the Journal?—A. I do not know, sir. I expected to leave to-night for Indiana.

Q. Well, sir, I will try and supply that myself. Now, as to Mr. New, what did you hear him say about it?—A. I heard him say that there was room there.

Q. Tell us about what Mr. New said?—A. I think I have given all I heard him express about the matter.

Q. He spoke simply about the demand for labor there?—A. Yes, sir; in connection with the fact of southern negroes coming into the State.

Q. And that is all he said?—A. Yes, sir; all on that point.

Q. What did the other three gentlemen say?—A. They said similar things.

Q. That is, that there was plenty of room in Indiana for good laborers?—A. Yes, sir. There would be a discussion, and something would be said about the Democrats getting on their ears about the exodus, and gentlemen would remark that there was plenty of room for the negroes in Indiana.

Q. Well, the Democrats have been on their ears about it, have they not?—A. I think they have, sir. I say that holding up the negro as a voter to the average Democrat in the North is like it is in the South; it is like water to a person with the hydrophobia.

Q. You spoke awhile ago of the condition of the negro in the South;

did you refer to what you understood as his condition in North Carolina? —A. Yes, sir; in North Carolina.

Q. You did not refer to his condition in Mississippi and Louisiana?—A. No, sir.

Q. There are two states of feeling about that; the white people of Mississippi deny the reports about the State, and the white Republicans of the North assert that they are true; what is your opinion about it?—A. My first opinion is, that if it is really true as the white Republicans in the North say that it is, and that the negroes are hunted with rifles and shot-guns, and bulldozed, it is the best argument in the world why the Republican party ought to be put out of power as quickly as possible.

Q. And the Greenback party put in?—A. I say it is charged both ways. I think a part of these reported outrages are true, but part of them are not true; and I judge that a great deal of it is only said for campaign purposes and use up North. These reports generally accumulate about that time, and I say if it is true, as these reports allege, it is the strongest arraignment of the Republican party that I know of.

Q. You stated, I believe, that the white people of the South treated them better than the white people of the North?—A. That is my opinion as to North Carolina.

Q. What is your opinion of the treatment they receive from the people of Mississippi and Louisiana?—A. I do not know anything about what it is.

Q. Have you an opinion?—A. My opinion to-day is, and my facts are slender, that if true it is infamous.

Q. Then you have no opinion as to what is the truth?—A. I think from the representations made public, that the colored people are better off in North Carolina than in any other Southern State.

Q. What do you think of Mississippi and Louisiana, and as to whether they are better treated there than negroes in the North?—A. I don't know; that is, I don't want you and this honorable committee to understand that I intimate that colored people are oppressed at the North, for they are not.

Q. Then you cannot answer my question?—A. My general information is, that they are not treated so well.

Q. Do you believe that information?—A. In part, yes, sir.

Q. Then you would qualify your former statement by saying they are treated better in North Carolina?—A. I don't qualify, because I confined it to North Carolina when I made it.

Q. You don't want to say that is true of the South generally?—A. I don't think I have said any such thing.

Q. Do you think the white people of Louisiana and Mississippi treat the colored people in those States as well as the colored people are treated living in the North?—A. My information is such that I think they are not; there are two statements made of the case; if one statement is true their condition is horrible, if the other is true it is lovely.

Q. Please answer my question.—A. I state from my information. I would think they were not so well treated in those localities as in the North Carolina regions, and I stated two views of the case that have been presented. I said if the facts were true as presented by the Republicans the situation of the colored man there was horrible, and if true as the Democrats say, lovely.

Q. Which do you believe?—A. I believe a part of both.

Q. Averaging it, which do you believe?—A. I believe that they are *ot so well* treated.

By the CHAIRMAN:

Q. Are you acquainted with the 14th article of the Constitution, section 1st of the same article, which says: "All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." Are you familiar with those provisions?—A. Yes, sir.

Q. What is your opinion of a party and the leaders of a party, especially in Congress, who insisted that the colored people of the United States who have been made citizens are denied their rights and deprived of protection to life and liberty, and of those within the jurisdiction of the United States who claim that they are not given equal protection under the laws, what do you think of a party claiming that and who as yet have taken no steps of any kind by resolution or act in either branch of Congress for the past six years looking to the remedy of that situation of affairs?—A. I take it as simply infamous, and I say it is one of the bitterest things for which I arraign the Republican party.

Q. Do you know of any move made by any Senator or member of the Republican party looking to anything of the kind?—A. I think there has been none since the virtue and brain of the Republican party left it and died out of it.

Q. Who do you think composed the virtue and brain of the Republican party?—A. I think men like Charles Sumner, Wilson, Chase, Thaddeus Stevens, Greeley, and others I might mention.

Q. Do you know the 15th amendment, which says that—

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude?

A. Yes, sir; that is the 15th amendment of the Constitution.

Q. Would you suppose that honest and fair men, and they are all honorable men who would insist that that provision of the Constitution is habitually violated and who believed it, would sit by and see it done when they have the power to remedy the evil by legislation here?—A. I think they cannot believe it; if they did, such conduct would be infamous; there is no other way that will suit the case.

Q. Does not the attitude of the Republican party upon the subject prove to you that these things are not true and they don't believe them?—A. It proves one of two things, either the fact does not exist or they want to use it for some other purpose.

Q. Did you hear the testimony of Mr. Thos. P. Mills who testified before this committee, or did you hear of it?—A. I heard of it.

Q. Did you hear that he said he told his friends when they first came to Indiana, these emissaries of the exodus, that they wanted 20,000 bucks, meaning men without women, to go to Indiana?—A. I did not hear of it.

Q. Did you hear of his saying that his sentiments upon this subject were shared by leading and prominent Republicans of Indiana?—A. Well, sir, I will not say anything about that; the general matter which I heard in relation to his testimony was that he was a Republican from Indiana, and was giving the Republian party a heavy lift.

By Senator WINDOM:

Q. Do you know Mr. Mills?—A. I have a short acquaintance with

him. I simply know he is of the firm of Morris & Mills, and they have a business house or office there.

Q. Mr. Voorhees seems to have called you as an expert with relation to the conduct of political parties; assuming the fact to be true that you are, I will ask you some questions. What political party controls the State legislature and State offices in the South?—A. The Democrats, I believe, without exception. They were controlled by Republicans at one time.

Q. How long ago?—A. I believe the last time the Republicans got a *usufruct*, to use Mr. Tilden's expression, out of the South, was when they got the electoral votes of South Carolina, Florida, and Louisiana.

Q. All those States are now in the hands of the Democrats.—A. Yes, sir.

Q. All the courts and offices generally are in the hands of the Democrats?—A. Yes, sir; nearly all.

Q. Don't you understand that there are many strong Republican districts in the South?—A. Yes, sir.

Q. And a good many strong Republican States if the colored people were allowed to vote?—A. Yes, sir.

Q. Don't you know that there are no representatives in the Senate representing the South, except two?—A. Yes, sir.

Q. What do you think of a party which controls all these Southern States in legislatures, executive offices, and courts, and who by the use of shotguns and tissue ballots and bulldozing run negroes out of the State, and which permits men of the same party to meet them on their arrival at the North with mobs and house-burnings and threats of violence—what do you think of that party?—A. Assuming the facts to be true, it is simply infamous.

Senator WINDOM. Well, now, since you have got us both infamous, I will let you go.

By Senator VANCE:

Q. I will ask you if, since these States passed into the hands of the Democrats, it is not a fact that there have been less complaints of wrongs and violence to the negroes in those States than at any other time since the war?—A. Yes, sir; I think there are less complaints of misrule there.

Q. You think there are less complaints from the colored people?—A. Yes, sir. But about the time of elections they flood the Northern country with outrage literature of the most horrible kind, but I know of no great outrages from that section since the Chisholm murder.

Q. You made use of the expression that it was infamous for a party to let these things go on and not attempt to put a stop to them. Do you think it is infamous for a man to cut the throat of the horse that has been carrying him on its back?—A. What do you mean?

Q. I mean, if these outrages were corrected the Republican party would have nothing to carry them through the election.—A. They assert that this class of outrages occur, and I say if they are in power and do not correct them, it is simply infamous.

Q. Do you consider that they could not carry the elections without them; and if that is true, it is wise and profitable not to correct them?—A. No, sir; I think it rather deepens their infamy.

Q. You say they can correct these things, and they do not do it?—A. I think they can.

By Senator WINDOM:

Q. Then you think the Republican party is infamous because it does

not protect the Democratic party of the South?—A. I say, if these things are not true the Republicans of the North are lying about it; and if they are true, they are not doing their duty in forgetting these colored people.

Q. If any considerable part of it is true, don't you think the Republican party is infamous for not punishing the Democratic party of the South?—A. I have had some pretty hard fights against the Democratic party and the Republican party, too, and I expect more of them, and to say something upon this very subject in making them.

Q. You think that the Republican party should punish the Democratic party to prevent them from bulldozing the colored men?—A. I think it should punish whoever violates the rights of a citizen.

Q. Well, these things are done, are they not?—A. Yes, sir; and if they are done for political reasons, I think it is more our duty to punish them.

Q. You have heard of this bulldozing?—A. I have heard of Republican negroes who would bulldoze a Democratic negro pretty lively.

Q. Where did you hear of it?—A. I heard of it here on the stand.

The CHAIRMAN. I desire to put into the record a copy of two dispatches which appear in the Washington Post of this morning, February 6:

TIRED OF NEGRO EMIGRATION.

LEAVENWORTH, KAN., *February* 5.

The officers of the Kansas Free Land Association have beendirected by the directors of the association to devise a method of diverting immigration of colored people in Kansas and turning the tide to other States in more need of laborers, and where the people are better able to care for such as are in destitute circumstances. The relief association is unable to maintain immigrants lately arrived.

NEGROES IMPORTING DISEASE.

LEAVENWORTH, KAN., *February* 5.

In Emporia and one or two other places a new disease, which the doctors do not understand, is prevalent among children. It is a rash, resembling measles, and is very contagious. It was brought here by the refugee negroes from the South. Many cases have proved fatal.

TESTIMONY OF C. W. BROUSE.

C. W. BROUSE sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Near Indianapolis.

Q. How long have you lived there?—A. Twenty-five years, I think.

Q. What positions have you occupied there? Were you pension agent?—A. I was, four years from 1869—June, 1869.

Q. I want to examine you upon the first point presented by Mr. Buchanan—that is, about your knowledge or other men's knowledge of the unemployed labor of the State. Give your views to the committee on that subject in your own way?—A. My knowledge of the labor question in Indiana is derived from the leading newspapers and conversation with gentlemen from various parts of the State. My opinion is, from the information that I have, that there is to-day and has been for

four or five years past more laborers than could get employment in the State of Indiana. I speak now from my own personal knowledge. My residence is outside of the city in a farming community, and I know a number who have been out there for years past seeking for work and could not get it except, it was an occasional day's labor.

Q. Is it not true, and has it not been true for several years past, that there has been actual suffering in that section of the country among the laboring people?—A. Yes, sir; very great.

Q. I will ask you if there has not been a constant reliance upon public and private charity for the subsistence of able-bodied men and women who would have gladly worked if they had had a chance?—A. That is true, sir.

Q. Is it not conspicuously true?—A. It is a well-known fact.

Q. That such is the case?—A. I think it is.

Q. What business are you engaged in now?—A. I have been engaged for the last three or four years in the real estate business, purchasing and selling land.

Q. Then your attention has been much directed to this point?—A. Yes, sir; especially since 1873.

Q. Now have you always been a Republican?—A. Yes, sir; up to the time of the election of Mr. Hayes. Probably a year after that I left the Republican party and affiliated with the National party.

Q. On the slavery question your sympathies are all with the colored men? You are as much their friend as anybody in the State?—A. I think so.

Q. You were in the military service?—A. Yes, sir.

Q. You know that the prejudice against these people is not on account of their color?—A. No, sir.

Q. There is no objection to their coming to Indiana if they could be provided for?—A. No, sir; we would be glad to see them.

Q. State what you think of their coming there now under the circumstances that they do?—A. I think their condition in North Carolina would have to be very bad indeed if coming to Indiana would better it.

Q. Have you followed the testimony given here as to the condition of the colored men who have gone to Indiana?—A. Yes, sir; I heard Mr. Wootten's testimony as to the state of affairs on his plantation.

Q. That is all the means of information that you have as to the condition of colored men in North Carolina?—A. Yes, sir; except what I read in the newspaper of a gentleman's testimony here as to the compensation and condition of the laborers there.

Q. And you think it must be very hard there if they would better it by coming to Indiana?—A. Yes, sir; especially at this time.

Q. Have you any reason to believe that his condition in North Carolina is so deplorable that it would be bettered by coming to Indiana?—A. Not at all.

Q. Have you any information as to their status that you are able to state that?—A. No, sir; nothing except newspaper reports.

Q. You stated that there was no demand for laborers in Indiana at this time?—A. No, sir; beyond the supply that we have at home.

Q. Then there would be no hostility to emigrants coming there who are self-supporting?—A. I think not.

Q. And emigrants of any kind, white or colored, negro or Irish, who would come there and be self-supporting, would not be objected to?—A. I think not, sir.

Q. There would be opposition to any kind of people being thrown on

public charity or private charity with no hope of their own speedy improvement?—A. Yes, sir.

Q. Have you been to Indiana recently?—A. Not within the last thirty days.

By Mr. WINDOM:

Q. Do you think the introduction of seven or eight hundred persons into your State would create widespread distress?—A. I think not, beyond the seven or eight hundred who came.

Q. There would be considerable distress occasioned among them?—A. Some of them might get employment, but it would be by throwing others out, and there would not be enough of it to support all the others.

Q. Do you think a laborer is worse off in Indiana than in other States of the Union?—A. I do not know, sir, as to the other States in the Union.

Q. You know of no reason why you should be particularly overstocked in Indiana beyond any other State in the Union?—A. No, sir.

Q. You do not know how many of these people have come there?—A. No, sir.

Q. Is there any improvement in the times generally out there?—A. There is some improvement in the manufacturing interests of the State, and considerable in merchandising.

Q. Is there any in the agricultural interests of the State?—A. Yes, sir; the crops last year were very fine indeed.

TESTIMONY OF T. E. HOOKER.

T. E. HOOKER sworn and examined.

By Senator VANCE:

Question. Where do you reside?—Answer. In Greene County, North Carolina.

Q. Where is Greene County, with reference to Lenoir County?—A. It is adjoining Lenoir on the northeast.

Q. Where is your residence? How far from La Grange?—A. About 17 miles.

Q. Has there been any portion of this exodus from your county?—A. Some few have gone from there; I think fifty or a hundred all told.

Q. Do you know anything of the causes that induced them to leave?—A. I do not know as I do.

Q. Did you talk to any of those who were about to leave?—A. Yes, sir.

Q. What did they say?—A. Some said they thought they would better their condition in Indiana, as wages are higher there.

Q. Did they say they had been told that?—A. Yes, sir; there were negro agents peddling round there, and telling them very great things. These men, Perry and Williams, were down there.

Q. Did they visit your county?—A. I do not know, sir; but I reckon they did.

Q. You do not know that they made any speeches there?—A. No, sir; I do not.

Q. What were these negroes told they could get in Indiana?—A. They were told that they could get $1.50 and $2 a day, and in the harvesting season that they would get $6 a day.

Q. That is what they were told?—A. Yes, sir.

Q. What about their transportation?— A. Some of them went ing they were going to go free. They went to Goldsborough and *fo* was different, and they came back. Some of those who went off my place came back.

Q. What is the condition of the colored people in your county?- About as good as it is anywhere.

Q. As good as any of the adjoining counties?—A. Yes, sir.

Q. What wages do they get?—A. A good negro hand can get $8 to $10 a month.

Q. What does that include?—A. That includes furnishing h house, rent free, firewood free, and giving him a little patch to culti and furnishing him with rations.

Q. Is that the general rule?—A. Yes, sir.

Q. That is for A No. 1 hands?—A. Yes, sir.

Q. To what length of time does the hiring extend?—A. A great times it is for twelve months, from January to January straight thr After they get through picking cotton, then they go to raising m for the other crop.

Q. What can hands get for a day's work by the day?—A. Fi sixty cents; I have had to pay a little more than that.

Q. And do you feed them?—A. Yes, sir.

Q. What can hands make hiring in that way during the fall s when cotton begins to open?—A. It depends on what kind of a h is. Boys and girls can make as much as a man picking cotton.

Q. What do you pay?—A. Fifty cents a hundred.

Q. The picking of cotton depends as much on skill as it do strength?—A. More so.

Q. What can a man pick out in a day?—A. With good cotton h pick from 150 to 300 or 400 pounds.

Q. What is the average of a good picker?—A. 175 to 200 pound

Q. That would be seventy-five cents to a dollar a day?—A. Ye

Q. Cotton begins to open about the 10th of September, does it —A. Yes, sir.

Q. How long does it continue?—A. Up to about Christmas course as winter comes on the cotton gets scarcer.

Q. What are the politics of your county?—A. Republican.

Q. What is the population of white and colored Republicans? There are about 100 white Republicans and 800 colored.

Q. What is your usual Republican majority?—A. 150 to 200.

Q. Do you know or have you heard of any bulldozing of the co people in your section?—A. No, sir; they vote as free there as where in America. They hold their meetings and have their There are people at the polls to look after that, and they are gene colored.

Q. Then you know of no case in the shape of political persec that should have made these men leave their homes?—A. No, sir.

Q. What is the state of feeling between the two classes there? It is kindly; there is no hostility between the two classes that I of.

TESTIMONY OF JOHN O. KELLY.

JOHN O. KELLY (colored)sworn and examined.

By Senator VANCE:

Question. Where is your residence?—Answer. Raleigh, North Caro

Q. What is your profession or business?—A. I am doing a livery business—all that is done there.

Q. You run a livery stable?—A. Yes, sir.

Q. Do you own any property?—A. Yes, sir.

Q. Do you own any real estate?—A. Yes, sir; I own some outside of the corporation of the town, and I have got a house and home.

Q. You were formerly a slave?—A. Yes, sir; I used to belong to General Cox.

Q. How much property at a round guess are you worth now?—A. I do not know, sir; but I would not to-night take less than $5,000 for what I have got.

Q. Have you made all that as a free man?—A. Yes, sir; I had nothing at the time of the surrender.

Q. There is a large colored population in Wake County, is there not?—A. Yes, sir; Wake has a large population that is colored.

Q. What are the politics of the county?—A. Wake County goes Republican. It has failed one year of going Republican. It failed to supply the members of the general assembly. With the exception of that it goes Republican.

Q. By what majority?—A. Well, it is pretty close. Along at first it was about 250, but now they are beginning to hew it down.

Q. Which are the largest in number in the county, the whites or the blacks?—A. You mean the voting population?

Q. Yes.—A. The colored people.

Q. The colored people are the strongest?—A. Yes, sir.

Q. Now I want the truth all to come out, and I want you to tell us what you can say of the condition of the colored people in Wake County, as to their right to vote and the enjoyment of their liberties generally?—A. Their right to vote and their liberty in Wake County is certainly good. The colored people in Wake County have their liberty, and their privileges are good. They have free access at the ballot-box in Wake as much as in any county in North Carolina. We have as little trouble there as anywhere. We have very few difficulties about Raleigh.

Q. Do they vote just as they please?—A. Yes, sir; they do. I do not think we have half a dozen colored voters in Wake County but what votes the Republican ticket. One or two men have voted the Democratic ticket, but the others scorn them and done so much to them that I think they are about worn out at it.

Q. That was for voting the Democratic ticket?—A. Yes, sir; that is so.

Q. What is the state of feeling there between the white and colored people?—A. The state of feeling betwixt the white and colored people in Wake is very good. Unless you count some little peculiar feelings between some people which has had trouble, that feeling is now good. There was a little hard feeling after the war, but that was because they once owned us and ruled us and then they could not, but all that has worn out.

Q. Does a colored man have the same right to make his living and fortune as a white man?—A. Yes, sir, so far as he is able to do so. The white people have got the advantage, because they had land at the surrender and the colored folks didn't. Some of them thought they were going to have land given to them, but a good many have bought land there in Wake County. It is like some of your own race, who never had anything and never will have it. It is like a man who went off at sixteen and married and have children, and never had twenty-five cents

to his name. That is the way with both races, and a great many them never have anything. It will be a long time before they will hav anything. It is not every man that can build up. Now, amongst m people there are a great many who have to work for wages, and a grea many rent land to make a crop. So far as malice is concerned, there i very little betwixt the white and colored in Wake County.

Q. If a man wanted to employ a laborer down there, would he refus to employ a man because he was black?—A. No, sir.

Q. Do your people find any discrimination against them on tha account?—A. No, sir; but you have made a pretty good scope there and you must give me time to digress and come back. You know ther are both kinds there, but the colored men won't be paid the same wages They work at the same bench and all that, but they won't get as muc for it. The people of the South and of Wake County prefer colored labor, and the reason they do is that they have been pretty apt alway at ordering it about, and they can still do that with a colored man bet ter than with a white man. They can use the colored labor better tha they can the white, and I consider myself it is the best labor in th circle of the sun. They were turned loose by that great party that gav us this liberty, but they did not make provision for them. The colored men have been two centuries without education, and are like many whites in our town now and before the war. They come to town, fo instance, with three dozen eggs, and you say what you will give them but they say, "I cannot take this money until I go and see Mr. Adams, or somebody else, because they do not know the money, and have t have somebody to tell them about it, and it used to keep the poor white and the blacks back. That was the cause that they could control them

As to this great movement of the exodus, that we don't know anythin about except by a few sketches in the papers. I do not know anythin of that kind. As to brick-masons and carpenters getting the same wage though, they can't do it, because the white folks won't give it.

Q. About what price is paid for farm laborers in Wake County?—A Well, sir, there is a big farm right in front of me, I suppose the bigges in the vicinity of Raleigh. They pay their best hands $10, and on dow to $8, and $7, and $6. They have been offering as low as $6, and a great many say $6 is all they will give; but $6 to $10 is the averag price.

Q. That is according to the quality of the hand?—A. Yes, sir.

Q. What does he get besides his pay?—A. Where he is hired he get his pay, and they give him 3½ pounds of meat and a peck of meal a week Some give 5 pounds, but more give 3½ pounds and a peck of meal. A good many do not board them, but most give them rations.

Q. Do they give them a house?—A. O, yes, they give them a house.

Q. And firewood free?—A. Yes, sir.

Q. Pasture for a cow if they have got one?—A. I do not know, sir about that. There are not many who are going to live out if they hav got a cow and such things as that. They will do business for themselves

Q. There is no exodus from your county?—A. No, sir; I do not be lieve there is one that has left there.

Q. I will ask you if the feeling of kindness between the two classes ha not been increasing of late years—if legislation has not done more t help the colored people along since it became Democratic than before?—A. Of course, on account of prejudice being worn down a great deal they is in a better condition. I say it all came about when you was i charge. I never voted for you because you are a Democrat, and I said *if you carried* out what you preached around in the campaign I certainly

would leave North Carolina. I thought you were going to make some laws to keep men from leaving and moving about; but after you got elected and got your seat you did more for the colored people than any other governor we have had since we have been free men. Our other Republican governors did not have a backbone, but give out; but Governor Vance called us snake-killers, and I thought he was going to be a snake-killer and go for us. Then after him comes Governor Jarvis, and I would take his advice to the colored people as quick as any man's except Governor Vance. Still when Governor Vance was running I feared him, and thought I'd have to move. I had a house and home, and me and my partner were doing all of the livery business, and we was colored men. We is doing all the business in that town; and as for respect I do not want any more than is shown me in Wake County from every man who knows John O. Kelly.

Q. Is not every other colored man given the same respect that you are who is sober and industrious?—A. Governor, you put a good deal in there. Where they see he has taken a start in an early day and got a foothold they will help him. I have seen the time since the panic when I could take two of my sons and go to the bank and borrow $500 as quick as any man; and no man who is true to his word and honest but can do it. But there is one deficiency among my people; there are too many men who want to make a crop without paying a man for his labor. When I speak of these men I have to digress to get at all of these points. In my days if there was a school-book found in the house of a darkey he got nine and thirty lashes for it. Where a man has got a wife and child and gets $6 a month he cannot live and be honest. I hire seven men, and I pay one of them $7, another $6, and the others $5.50 a week, and I see that they have to work. I see so many of our people going to the jails and penitentiary that I have been very much disturbed. They have got so that they put a man in jail if he steals a big potatoe. Gentlemen, do get to work, and get this thing done; you have got the sense to do it, and you fix it good. Get together when these things occur, and say to a fellow, Sam, you stole a piece of meat from me, and let us see if we cannot fix it up without the law and the jail; 'cause when he gets in the solicitor's hands he has to get $4 costs, and then you go sure to the penitentiary. If you give a man good wages he will look to your interest, but for these $5 and $6 a month a man cannot get a good living to save his life and live an honest one.

Q. How is it about the education of the colored people down there?—A. Well, governor, in Wake County I do not complain about it. All my politics, gentlemen, is that if a man has got 25 cents I will take him up-town on my omnibus; but in regard to Wake County, the schools are good, still there is some little complaining among folks who do not know what they want. The complaining was about the last legislature taking the school committee out of the hands of the people, and giving the magistrates the power to appoint them. That is one of the greatest complaints among the people. You wanted when you were governor to issue money for the graded schools, and worked hard to do it, and Governor Jarvis is trying to do it still. Everything is getting along pretty well, and there is no complaint except where the county has got no money, and the schools do not keep up long enough. Any man will complain when he has got nothing, and must eat even if he has to steal it.

Q. The chance of a colored child being educated is as good as that of the whites?—A. Yes sir; I send four of mine to school all the time.

Q. There is a normal school there for the purpose of educating teach-

ers for your race?—A. Yes, sir; and they have got a department of that house, too, at the Methodist church.

Q. Who is the county treasurer?—A. John B. Neathery.

Q. What are his politics?—A. Republican.

Q. I want to read you an extract from his report (reading):

In closing this statement of the county finances for the past fiscal year, which I have labored to make full and explicit in every respect, if you will permit me, gentlemen, I will mention a few facts, not having a necessary connection therewith, but which bear high testimony to the peaceable and law-abiding character of the people of Wake County, and which should be gratifying to every good citizen.

With a population of near 50,000, including the capital of the State, we have never had a mob, riot, or serious disturbance of the peace during the past fifteen years. Although the candidates of the two political parties have in every campaign conducted a joint canvass, and party feeling has at times run high, yet we have not had a single murder, homicide, or death occurring from any fight, or political disturbance, or race difficulty in twenty years. During the past three years we have had in the county only three deaths from violence. In one of these a white man slew a white man; in the second a colored man slew a colored man; and the third was a case where a fugitive from justice was slain by an officer while attempting to evade arrest. It must be borne in mind also that the State penitentiary is located in our county, and all the convicts from the entire State, whose terms of service expire, are turned loose in our midst, thus swelling our criminal population.

To show the good feeling existing between the two races in the county, it is only necessary to refer to one or two facts: At an election in Raleigh Township last spring, on the question of levying an additional tax on property for the support of graded schools, for each race, there were but thirty votes cast against the proposition, though the bulk of the property is owned by our white population, and it was well known that the colored children were entitled, under the law, to share equally with the whites in the benefits of the tax raised; and a good portion of the thirty votes against the tax were cast by colored voters, under a misapprehension.

On the other hand, to show the kind feeling of our colored population towards the whites, it is only necessary to state the fact that we have three colored fire companies in this city, who are always among the very first to respond to the alarm of fire, and none strive harder or incur greater risks of life and limb to save the property of their white fellow-citizens from destruction, though a comparatively small number of these colored firemen own any real property themselves. * * * I also deem it a matter of great gratification that we have at this date more and better public schoolhouses for each race; more and better teachers; a larger number of children in the schools; and a greater interest manifested in the cause of general education than at any previous time in the history of the county.

Respectfully submitted,

JOHN B. NEATHERY,
Treasurer.

Q. Is that a pretty truthful statement of affairs there?—A. It is as good as can be gotten up anywhere as to those firemen. The white folks have got an engine there, and a pair of horses that cost five hundred dollars. But you let the fire bell ring, and the colored people are the first to get there, and if they are going to put the fire out at all they will done have put it out before the others get there. The other night Haygood's stable caught on fire, and the colored folks put it out, and the whites come and gave their excuse that somebody stole their little truck or wood wagon; but the truth is they haven't got the grit, no how.

Q. So far as there is any political persecution or bulldozing, you know of no reason why they should pick up and leave there?—A. There is none in our county. I don't know what it is below, but I know sometimes when they don't register somebody will try to keep a man from voting. There are some little differences of that kind, but there is no bulldozing and saying a man shall not vote. I don't see anything of that kind down there. The trouble is this back law and returning board, where if they get elected they count you out; it seems to me they have all learned schemes down there by it.

By Senator WINDOM:

Q. What do you mean by the returning board?—A. I mean where a man gets elected and is counted out. I think Mr. Bledsoe was elected to the legislature the last time. Before they got done voting I think they counted him out.

Q. That was done by the Democrats?—A. Yes, sir; that was, but I don't know where these returning boards first came from.

Q. When was the first time you heard of them?—A. The first I heard of them was when Mr. Hayes was elected up here.

Q. Did you hear of them in North Carolina?—A. I don't know that they call them returning boards, but they have got the same kind of schemes for counting a man out. I think they counted Mr. O'Hara out. It don't make any difference what you call it, but I call them returning boards since you all got the name up.

Q. Your legislature is Democratic?—A. Yes, sir; I think this last time they had two majority. I know they all had to stay at the rack very closely.

Q. Well, these men who were counted out were Republicans, were they not?—A. I do not know what Mr. Bledso was, as he would not tell which way he was going. I think he would have been a Republican if he had got counted in. I think he ought to have been put in, as he was in such a good move for us, as he wanted to bring a railroad from the western part of the State right to Raleigh.

Q. Was there some complaint about these men being counted out?—A. Yes, sir.

Q. Did that come from Democrats or Republicans?—A. I cannot tell which it came from. I think both sides have been counted, sir. I know in the last general asssembly they had some white men elected, and the colored men came and contested their seats, but they didn't turn the white men out but paid both, and I think the colored men got the better of it, for they staid there and done nothing. They got their pay and had no work to do.

Q. You spoke of magistrates, and that there was some complaint about the change concerning them?—A: I cannot explain that, but that is one of the complaints; the biggest we have, I believe.

Q. Who do those complaints come from with reference to the magistrates?—A. I think the colored people.

Q. Did you ever hear of any complaints as to the way they were treated in the courts?—A. Yes, sir; I don't know of these things, but I have heard of it. They said in some counties they wouldn't allow colored men in the jury box. There is discrimination made there. Where they have them, out of every jury they run in from seven white men up to ten white men and two colored men. I don't think, though, in our county that is due to the legislature, but I think it is due to our sheriff, who has not got the back bone to stand up.

Q. He is a Republican?—A. Yes, sir; and elected by Republicans.

Q. How is it needed—that back bone?—A. I tell you he is a good man, but the bond which he had to give, the Democrats had to go on it, and that brought him under subordination to them. You see if you have got me haltered, I cannot get far away from you; and he cannot pick out the jurors as freely as he might do.

Q. He thinks that the Democrats don't want a majority of colored jurors?—A. Yes, sir; I think so; him and the Democrats, too.

Q. Are those all the complaints you have heard?—A. Yes, sir; I think that is all.

Q. Do they punish whites the same as they do the colored people?—

A. Yes, sir; I believe they do when they get them into the court, but sometimes they run a little cloak around it; if a white man does something, and goes off to the mayor's office and confesses, he can pay a fine, and it is not as much as sent into a court. If a colored man does anything he is sent to the solicitor, and is pretty bound to go to the penitentiary.

Q. State the general feeling of the colored people, and why it is they don't have a fair show in the courts.—A. I can say that I have heard complaints of the jurors being most all of them whites. I do not have much to do with the courts. I stay as far away from them as I can. I think there are not a great many cases where the colored people are treated wrong. They are brought and punished, and of course they don't like it.

Q. I believe you stated that a white man would get more for the same work than a colored man.—A. Certainly; there is not a man hardly in Wake County if he wanted a job done but will pay a white man some fifty cents more in the day than a colored man.

Q. Is it because the latter is a colored man?—A. No, sir; but it is nature; they think the colored man can live on this.

Q. Does that sort of discrimination extend to other kinds of labor? I mean to common labor, and not to skilled labor.—A. I cannot say it does; there are a very few white men who hire out as laborers.

Q. You spoke of people getting only five or six dollars a month; is that quite common?—A. Well, sir, in a great many places they don't like to pay more if they can get them for that; but that is for common boy hands and women; eight and ten dollars is the average for men.

Q. What are the rations?—A. Generally, a few pounds of meat and a peck of meal and a pint of molasses.

Q. Is that as much as the laboring man has to live on for a week?—A. It is not as much as I had when I was a slave, for my people fed me as they did themselves.

Q. But you think these petty crimes of larceny are committed largely on account of this inadequate provision?—A. Certainly I do, but negro men is better in some respects in that kind of doing than a white man; if he goes to steal he don't try to steal all you have got and the white man does.

Q. When they steal in this way to prevent starvation they take them and send them to the penitentiary?—A. Some get off and some go to the penitentiary.

Q. What is their treatment?—A. They are all hired out, except they are put in there for lifetime or for murder.

Q. Is there any considerable amount of that hiring out done?—A. Yes, sir; they are working on the railroads. All the railroading work up there and on into the mountains is being done by them. Some of the white people who are put in there take advantage of it in getting a trade. I don't understand all the workings of it, for I try to keep out of the penitentiary myself.

Q. What length of time do you think they generally send people for stealing those little things we have mentioned?—A. Until this last act, a man had to stay two years, but now it is twelve months.

Q. Is that your understanding of the condition of the colored race, that in many cases they are compelled from receiving short wages to steal, and then they are convicted and sent to the penitentiary and hired out?—A. I say you can take it anywhere in the world, where a man with one or two in family besides himself gets only five or six dollars a *month*, he can't live on it. Until this great blessing came along, which

I appreciate as much as any man, it was different, and they can't all keep up to it, although I think as much of principle and character as any other man that ever lived, I don't care where he came from.

By Senator VOORHEES:

Q. You are in the livery-stable business?—A. Yes, sir.

Q. What do you pay your employés?—A. I pay my omnibus drivers seven dollars a week, and the one who drives two horses five dollars a week; and pay it to them every Saturday morning.

Q. Are they all colored men?—A. All of them are out of the seventeen, except two white men—one for each omnibus.

Q. They are picked men, though, are they not—men who understand their business?—A. Yes, sir; of course, they must be.

Q. These are high wages, are they not?—A. Not for livery work.

Q. You pay more than anybody else, do you not?—A. More than most of people; yes, sir, I reckon I do, because my work is done at all hours. I work three every night, and my partner four, and any time you come to my office door, you can get a carriage, unless you beat me once, and then you can't get one.

Q. You are paying higher wages, though, than are paid to most laborers?—A. Yes, sir.

Q. Well, take a man who hires by the month, and who boards himself; how much ought he to get?—A. I do not know about that.

Q. If they board him, how much do they pay?—A. If he is boarded, they give him about ten dollars.

Q. Is that about the average?—A. That is about the average wages, where they board them, and get good hands.

Q. Have you heard of any representations made to your people about the wages they would get out there in Indiana?—A. No, sir; I do not know anything of that matter in the world. I saw, say two or three train loads going to Georgia, to the turpentine works. I asked them what they were going for, and they said they could get better wages.

Q. You would not think they could better themselves by going from Wake County to Indiana, where the colored man never was seen in a jury-box?—A. No, sir; I think they would be getting worse. I think any man can get along better with the people that he knows.

Senator VANCE. Who is solicitor, who prosecutes in your county?—A. This Mr. Collins, a colored man; but he is assisted in Wake County with Mr. Harris. He makes the bills, and Mr. Harris does the pleading. He is a white man and a Republican.

Senator WINDOM. From what you know of the emigration from your State, are not as many going to Georgia as Indiana?—A. I do not know, sir. I think, from what I saw on the trains going through Charlotte, and who said they were going to the turpentine country—I think there were about one hundred and fifteen, all told.

Senator VANCE. You do not understand that they were going there to stay?—A. No, sir; they worked there last year and were going back again.

TESTIMONY OF W. W. ARRINGTON.

W. W. ARRINGTON called, sworn, and examined.

By the CHAIRMAN;

Question. Where do you live?—Answer. In Nash County, North Carolina.

By Senator VANCE:

Q. Has there been any movement *of colored* people from your county

to Indiana?—A. I think not, in my neighborhood; but I understand that some went from down about Rocky Mount. There have been none left from our neighborhood.

Q. Did you speak to any who went?—A. No, sir. I spoke to some who thought of going from North Nashville.

Q. Did they give you any reason for wanting to go?—A. They said they could get big wages, from a dollar and a half a day to five dollars a day; that during harvest-time they could get five dollars a day.

Q. Did they say who told them that?—A. A man named Perry, I believe.

Q. Did you see Perry yourself?—A. No, sir; I never saw him.

Q. Did he make any speeches in your county?—A. Not that I know of. But I was at Rocky Mount one day and there was a fellow over on the other side, in Edgecombe, making of a speech, and I understood it was Perry.

Q. Can you give us a statement of the condition of the colored people in your section?—A. In the northern part of the county, where I live, they are in a good condition, and many own land. It is rather thickly settled, and mostly with colored people. Only once in a while you will come across a white man; but the colored people own the country through there.

Q. How much do they own?—A. There are four or five thousand acres right in my own county owned by them.

Q. How much is owned by them in Nash County?—A. I reckon twenty thousand acres; all of that.

Q. How is it distributed? How much was to a man?—A. I think the smallest farm I know is seventy acres, and from that up to a thousand.

Q. Does any colored man there own a thousand acres?—A. Yes, sir; one.

Q. Who is it?—A. That is myself.

Q. Were you formerly a slave?—A. Yes, sir. I belonged to A. H. Arrington.

Q. Baldi?—A. Yes, sir; and a perfect gentleman, if there ever was one.

Q. Have you made your property since the war?—A. Yes, sir; but he gave me a chance after the surrender. I took charge of his business. He employed me to run it for him, and gave me six hundred dollars a year; and I laid it out in land, right at the start, and kept adding to it.

Q. Do you farm yourself?—A. Yes, sir.

Q. Tell us about the wages you pay.—A. Well, sir, I pay my men according to the grade of them. If he is a good man, who can repair gates, make hoe-handles and axe-helves, and mend up wagons, I pay him ten dollars, give him a patch for his wife, and a house to live in. Some others that are not quite so good I pay eight dollars.

Q. What do you pay women?—A. The women get five dollars and board. Them we don't give any allowance.

Q. The men you give just as much as they want to eat?—A. Yes, sir; but I only allowance one. I buy a year two hundred pounds of meat, and put it there, and allowance him five pounds a week; and at the end of the time he knows when it ought to be out.

Q. Is that the general rule of pay down there?—A. Yes, sir; it is a general rule around there with the farmers. Good men get ten dollars very easily.

Q. How far do you live from Edgecombe?—A. Twelve miles.

Q. Do you know much about the rule down there?—A. No, sir; but

it is about the same, I believe. That down there, where they take out marl, is a little better.

Q. Do you state that ten dollars a month, with rations, is the average price for good hands?—A. Yes, sir; and on down to eight dollars. I don't think any man gets less than eight dollars in our neighborhood.

Q. Doesn't that depend on the price of cotton?—A. We have a standing price, and don't change it. I think where they give more they don't give a patch. But if a man has a wife, she can take a patch and make a bale. There is no charges made there for the houses or fire-wood.

Q. Do you know of anything why, by reason of political proscription or legal discrimination, the colored man can't do as well in North Carolina as a white man, both of them being without land?—A. Yes, sir; there is a little difference in the hiring of them. When they hire a white man they take him into the house and feed him a little better. But there is no difference generally, because there are not many white men who hire out. I know one named Dick Thorpe, who does not get but nine dollars a month.

Q. Is there any interference down there with the right of the colored people to vote?—A. No, sir; I have been a poll-holder for a long time, in my township, and both sides vote as free as they please, and we have no disturbance and no unfair means used.

Q. Nash is a Democratic county, by a very small majority, is it not?—A. Yes, sir; but we beat you last time, Governor, by taking your own means, and running an independent Democrat. But there is about three hundred majority of whites in the county.

Q. Have you many colored men in your section who are skilled mechanics, brick masons, house carpenters, blacksmiths, and so on?—A. I don't think many of them are brick masons. There may be at Nashville; but there are carpenters up there. But I don't know what the saw-mill man is paying them. He takes a contract to do the building, and pays them by the month.

Q. What chances have you to teach and learn your children?—A. We have good chances, now. I am one of the school trustees in my township. And we have a treasurer, and the money is paid out by the township.

Q. How long do your schools run?—A. About four months.

Q. Is there a good attendance of the children?—A. Yes, sir; I believe ours has an attendance of seventy-nine.

Q. That is your township?—A. Yes, sir; the one I am tru tee for.

By Senator WINDOM:

Q. How far is your plantation from Goldsboro'?—A. It is forty miles from our depot to Goldsboro'.

Q. There is no exodus from your county?—A. No, sir; I have heard of none. Those fellows who were getting it up did'nt beat down our way. We are working people up there, and don't listen to such things.

Q. You are against it yourself?—A. Yes, sir; I am. I was up there at the church, and one fellow was up there who had a lot of his circulars, but when I came along towards him he wheeled about and left.

Q. How many hands do you employ?—A. I employ four; but I have a right smart people settled about on my plantation.

Q. You say you have heard no complaint by these people about their condition in North Carolina?—A. Yes, sir; they have complained about this tenant lien law, and the taking away the election of magistrates and their appointment by the legislature.

Q. There are cases of some complaint?—A. Yes, sir; they think they

there?—A. I have heard of no difficulties between them. I know, of course, in town, when they are drinking, of Saturday evenings, they are liable to have difficulties and fights. But there is nothing political in that.

Q. Do you know of any reason, in the way of political disturbances or proscription or discrimination of the laws, to make these people leave your country?—A. No, sir. One thing I heard them say, that they were going where they could get better wages; that they could not live on the prices if cotton was low. But I think it amounted to about the same, in the way of living, as when they got thirteen and fourteen cents for cotton. They could get meat for five cents, which was cheaper than they ever got it before. The price of cotton is better than it was last year, and and the price of labor has gone up with it.

Q. About how much real estate has been acquired by the colored people in your county?—A. I could not tell you, sir. I know people right in my neighborhood, and could pick out scattered men, who own a good deal.

Q. Can a colored man who is sober and industrious stand as good a chance as a white man to acquire property, when both of them start without any?—A. Well, sir, I have always done so myself.

Q. Can one do as well as the other?—A. I think they do. If any difference has been made, I can't see it. I always do well myself.

Q. These men, you said, were going to Indiana for better wages; have you heard anything from them since they have been out there?—A. I have heard of them, but not myself. Mr. Farmer, who lives near me, received a letter from some of them, which they said to send to Hilliard Ellis's church to be read.

Q. Was it read?—A. Yes, sir.

Q. What were the contents of it?—A. He wanted them to make up some money to bring him back home. He said he wanted all the members to throw in a little to help him.

Q. What reason did he give for wanting to come home?—A. He said he had been there eighteen days and only made two dollars. He said he had stopped there in town and could get no work, and he wanted his friends to help him back.

Q. Did he come back?—A. No, sir; not yet, unless he has got there since I left home.

Q. Did they make up money for him?—A. No, sir; I think they said they didn't know whether he would get the money or not; and they would look further into it. They asked me if I would give something, and I said I did not know.

Q. Could a man who is getting ten dollars a month, his house and rations, and a patch to tend to, support himself and family on that?—A. He ought to do it at the present prices of provisions.

Q. In the cotton-picking season, don't the women and children make good wages?—A. Yes, sir; that is the time of their best wages. A child can pick out as much as a man, almost, and they make more in cotton-picking time, than any other time. That is the reason that a good many of them won't hire only until fall. They work until the crop is laid up, and then depend on making double wages during the picking season.

Q. Do you know of any complaint's as to injustice being done them in the courts?—A. I have heard some of them grumble about not getting justice in some cases; but I have heard both sides to that. One says that they didn't do right, and the other say that it was right, and backwards and forwards in that way.

Q. Is there no complaint that there is a difference made in the courts between whites and blacks?—A. I have heard of it. I have heard some of them say they didn't get justice because they were black men.

Q. You do not know of any case that was so?—A. No, sir; I only heard that the colored people, as a general thing, was oftener in the courts for larceny than the white people.

Q. That makes a difference and causes more of them to be in the penitentiary?—A. Yes, sir.

Q. Because more of them commit these little crimes?—A. Yes, sir; I think they think they are not dealt justly by, and then sometimes they slip into the penitentiary before they know it, not being enlightened to know the law. But, I think, in my neighborhood, they try and take care of themselves.

Q. When a colored man has an established character for integrity and honesty, don't he stand the same chance of getting justice as the white man?—A. I think he does in my town; I don't go there myself about the courts, and I only hear about it after the courts are done.

By Senator WINDOM:

Q. You spoke of some complaints; are they general among the colored people?—A. I have heard them complain a good deal after the courts were over for a while. I have heard them say that in such and such a case that was tried that they didn't think that they got justice because it was a colored person.

Q. Did they think it was injustice to them because of their color?—A. Yes, sir; on account of their color. But then, you know, in many times they may be mistaken.

Q. There is an impression that they didn't get even-handed justice?—A. That is the talk among them; but I don't get to see and I don't know that any wrong is done them. I would not know, probably, if I was to see it.

Q. Have you heard anything in the way of complaints about the tenants law?—A. Yes, sir, a little; but not enough to tell.

Q. Is your county Republican or Democratic?—A. It is Democratic, and always has been. They have got a majority there.

Q. How far do you live from Goldsborough?—A. It is about twenty-four miles from Wilson to Goldsborough.

Q. About how many people have gone from your county?—A. I do not know, sir; really I could not tell. But there are a good many gone right out of that town.

Q. You say you have heard of some political troubles in Wilson County?—A. Yes, sir; but not serious. They were just little differences between individual men.

Q. Did you hear any of them given as a reason for this emigration?—A. No, sir; but some of them says they wanted to go where they could get better wages.

Q. You said you heard of no disturbance in your locality, but there were some in Wilson?—A. Yes, sir; but it was mostly from whisky. It would be where they were drinking, and they would have a drunken fight. There was no Democrats or no Republicans in it.

TESTIMONY OF ELLIS DICKSON.

ELLIS DICKSON, colored, sworn and examined.

By Senator VANCE:

Question. Where do you reside?—Answer. In Green County.

Q. What is your nearest railroad station?—A. Kinston is the nearest raiload station.

Q. How far do you live from there?—A. I live fifteen miles from there. I live on Snow Hill.

Q. What is your occupation?—A. I am a mechanic.

Q. What kind of mechanic?—A. A mill wright.

Q. Are you a farmer too?—A. Yes, sir; I farm some, too.

Q. Have there been any colored people left your county in this exodus movement?—A. Yes, sir; some few.

Q. Do you know of any reasons why they left; what they said about it?—A. I have heard them say they were going because they heard they could get better wages; and they thought, probably, they could do better in Indiana than they were doing there.

Q. Did you ever hear them say anything about the fourteenth or fifteenth amendments being repealed if they did not get up North in a certain time?—A. No, sir; I never heard of that.

Q. Did you hear of anybody making speeches to them?—A. I think there was one man came down there and made a speech to them. I don't know his name, but he went in the court-house and made a little speech. I went up and heard it, and it sounded so much like nothing to me that I turned right around and went home.

Q. Don't you remember his name?—A. No, sir.

Q. What is the condition of the colored people in that county with regard to their material interests? How are they doing and prospering?—A. Some in our county are getting along tolerably well, and some, I suppose, are doing sorry.

Q. As compared with the white folks, who have to work the same as they, are they doing as well?—A. Just about the same.

Q. Is there any persecution of them in respect to their political rights?—A. No, sir; none at all. I have been to the ballot-box often, and seen black and white people riding together, and voting different ways.

Q. Is there any disturbance among them, concerning their right to vote?—A. They vote the same as white men, so far as I see.

Q. How are they situated as to their schools?—A. They have their free schools just the same as the white people. The white people have their free schools to themselves.

Q. What are the average wages in your county for ordinary farm laborers?—A. Last year they were seven, eight, and nine dollars, and on up to ten for some hands.

Q. Then, from seven to ten would be the wages?—A. Yes, sir.

Q. What does that include?—A. It includes his house, his board, firewood, and a little patch. That is the general way that they work on wages.

Q. Do any of them crop?—A. Yes, sir; a great many tend to crops on shares.

Q. How much do they pay the landlord when they crop on shares?—A. If a man furnishes all his own material—his horses, plows, and supplies—he pays one-third of the corn and one-fourth of the cotton, while some of them rent for eight hundred or a thousand pounds to the horse.

Q. How much is that?—A. Well, sir, it generally rents at the rate of eight hundred pounds for thirty acres. If he crops and gets the material and supplies from the landlord, then the tenant gets one-third of the corn and one-fourth of the cotton.

Q. That is just about reversing it?—A. Yes, sir.

Q. *And if* the landlord furnishes only the land, and the tenant his own

stock, he pays one-third of the corn and one fourth of the cotton?—A. Yes, sir; but sometimes he has a contract, and pays a third of the cotton, according to the quality of the land.

Q. And if the landlord furnishes everything, the payment is reversed. —A. Yes, sir; that is the general way. I have some croppers on my place who pay me a fourth of the cotton and a third of the corn, and that is the general rule in my neighborhood.

Q. Well, so far as yourself is concerned, your business is that of a millwright?—A. Yes, sir.

Q. Do you find employment at your business?—A. I find something to do pretty much all of the time.

Q. Do you work for wages or by the job?—A. By the job, but sometimes for wages.

Q. How much do you get a day when you work for wages?—A. Three and a half a day, and sometimes four dollars. I have known as high as five dollars to be paid in our country.

Q. What are the usual wages per day?—A. Two and a half and three to four dollars.

Q. Is there any difference in the wages between white men and black men.—A. None in the millwright business. I get as much as any white man who goes down there.

Q. Have you found any discrimination, where men would not hire you because you were a colored man?—A. No, sir; I never had any such experience as that.

Q. Is it your opinion that these people would have been satisfied if it had not been for these statements about better wages made to them?—A. I must say, they would, from the way they were stirred up about it. They were told that they could get three dollars a day and twenty dollars a month; and that sounds mighty nice to get that much money. They were told that land was cheaper, and they would get homes in a short time.

Q. When you take a job, as boss millwright, do you have hands under you?—A. Yes, sir; I have had as high as eighteen and fifteen, down to ten.

Q. How much do you pay them?—A. I have none who work for less than ten and twelve dollars a month, and from that on to sixteen and eighteen dollars.

Q. These are not skilled laborers, are they?—A. No, sir; they are men who come in and move and lift things around.

Q. Do you ever employ white men under you?—A. Yes, sir

Q. Did you pay them the same?—A. Yes, sir; the same wages. I have paid some of them more, and have paid them as high as four and a half a day, white and colored.

Q. What is the state of feeling between the white and colore lmen in your section?—A. Why, it seems to be friendly down there in my neighborhood; so far as I know, it is so in my county.

Q. Have any of your colored people down there bought land?—A. Yes, sir.

Q. Have you an idea how much they own in your county?—A. I have an idea about those who are close around me. I guess there are some five or six men who have bought right close around me. One I know bought three hundred acres, another one hundred acres not more than three weeks ago; and there are two or three who own land a little further off.

Q. Do you know Colonel Jones, up seven miles above Snow Hill?—A. Yes, sir. I bought my place from him.

Q. How is it with the colored people about their schools?—A. We have very fine schools down there, considering.

Q. Is it your opinion that the colored people down there are doing as well as white people with the same start?—A. Yes, sir.

By Senator WINDOM:

Q. What is good land worth—such as you bought?—A. From nine to ten dollars an acre. I believe that is what they pay down there.

Q. Have you heard any complaints from colored people about discriminations being made against them on account of their color?—A. No, sir; not any worth noticing. I have heard something about the white people not dealing justly by them; but I think maybe they are mistaken.

Q. You think there is none, then?—A. No, sir.

Q. How about the juries down there?—A. We have colored jurors; we used to have half colored, but we don't now.

Q. What is the proportion of white and colored people in your county?—A. I do not exactly know.

Q. The blacks are the largest in number?—A. Yes, sir.

Q. Is this a Democratic or Republican county?—A. It is Republican.

Q. Do you know the majority of colored people—the Republican majority, rather?—A. I am acquainted with two hundred, I believe.

Q. Then you elect your Republican officers?—A. Yes, sir. But then the number is a little less now than two hundred, I think.

Q. How far is it from you to Goldsborough?—A. Twenty-five miles from my place.

Q. Has there any considerable number of colored people left your county?—A. No, sir.

Q. Is there any considerable dissatisfaction among them down there?—A. No, sir.

By Senator VANCE:

Q. I did not ask you your politics.—A. I am a Republican.

TESTIMONY OF NAPOLEON HIGGINS.

NAPOLEON HIGGINS, colored, sworn and examined.

By Senator VANCE:

Question. Where do you reside?—Answer. Near Goldsborough. I don't stay in Goldsborough, but it is my county seat. I live fifteen miles from town

Q. What is your occupation?—A. I am farming.

Q. Do you farm your own land?—A. Yes, sir.

Q. How much do you own?—A. Four hundred and eighty-five acres.

Q. How did you get it?—A. I worked for it.

Q. Were you formerly a slave?—A. No, sir; I was a free man before the war.

Q. You say you worked for it?—A. Yes, sir; I worked for it, and got it since the war.

Q. What is it worth per acre?—A. I don't know, sir, what it is worth now. I know what I paid for it.

Q. What did you pay for it?—A. I believe I paid $5,500; and then I have got a little town lot there that I don't count; but I think it is *worth about* $500.

Q. Then you have made that all since the war?—A. Yes, sir.

Q. How much cotton do you raise?—A. I don't raise as much as I ought to. I only raised fifty-eight bales last year.

Q. What is that worth?—A. I think I got $55 a bale.

Q. How many hands do you work yourself?—A. I generally rent my land. I only worked four last year, and paid the best hand, who fed the mules and tended around the house, ten dollars; and the others I paid ten, and eight, and seven.

Q. That was last year?—A. Yes, sir.

Q. What did you give them besides their pay?—A. I gave them rations; and to a man with a family I gave a garden patch and a house, and a place to raise potatoes.

Q. What about the rate of wages in your section of the country; does that represent them?—A. Yes, sir; of course a no-account hand don't get much, and a smart one gets good wages.

Q. Have you made any contracts for this year?—A. Yes, sir; but I am only hiring two hands this year.

Q. What do your tenants pay you for the use of your land?—A. Some of the tenants give me a third of the corn and a third of the cotton. Then I have got some more land that I rent out to white men, and they give me a fourth of the cotton, and another gives me a thousand pounds of lint cotton for twenty acres.

Q. Does anybody interfere with your right to vote down there?—A. No, sir.

Q. Or with any of the rights of your race?—A. No, sir; we vote freely down there. Of course, if one man can persuade you to vote with him, that is all right. But you can vote as you please.

Q. What are your politics?—A. I am a Republican, and that is the way my township generally votes.

Q. You say there is no interference with the rights of your race there?—A. Not that I know of.

A. There has been something said here about the landlord and tenant act. Do you think that does anybody any harm?—A. I think it is a good law.

Q. The object of it is to give you a lien on everything your tenant has until your rent is paid?—A. Yes, sir; and I think I am entitled to that.

Q. These white tenants can't run off any of your cotton until you are paid?—A. No, sir; I am five or six miles from them, and they can't run it off. They might do it and I not see them if I did not have the law to back me; and they are just as apt to run it all off as not when they start.

Q. Then you think it is a good protection to you in your rights?—A. Yes, sir; I do.

Q. Do you have any schools down there?—A. Yes, sir.

Q. How is the money raised for them? Most of it is by a property-tax, is it not?—A. Yes, sir.

Q. And the poll-tax all goes to education except twenty-five cents on the dollar?—A. Yes, sir.

Q. Do you know how much land your race has acquired in that county?—A. I reckon they have got fifteen hundred acres in our township; but I could not tell how much in the county.

Q. Is there any distinction made between the whites and the blacks down there in the renting of lands?—A. None that I know of.

Q. Both are paid the same wages?—A. Yes, sir; unless a man wants to hire some man to lock his doors and look after and keep his keys;

then they pay him more. And if it is a colored man that he has confidence in, they pay him the same.

Q. Is there any disposition there to take all white men as tenants?—A. No, sir; in our township they take them without regard to color. If a man is a smart man, he gets in just the same as a white man. Colored men rent from white men, and white men from colored men.

Q. Did you ever have any talk with any of those people who went to Indiana?—A. No, sir; I never saw one who went.

Q. Did you hear any of the speeches of any of these men who were stirring up these men?—A. No, sir.

Q. Did you see any of their circulars?—A. No, sir.

Q. Nor hear of any inducements offered to them?—A. No, sir.

Q. Did you get any letters from any of them who went out there?—A. No, sir; I wasn't acquainted with any who went. I learned more of it at Goldsborough, last Monday night, when I was coming on here, than I ever knew before.

Q. Are there any complaints among your people as to discriminations in the courts, between the whites and blacks?—A. Yes, sir; I have heard them say that the same evidence that will convict a colored man for stealing won't convict a white man.

Q. When they are convicted, are they punished alike?—A. Yes, sir; in the same cases. I have spoke to them and told them, lots of times, that of course they would be convicted many times where a white man would get out, and the only way to avoid that was to quit stealing. I told them, a white man has got more sense and more money to pay lawyers and knows better how to hide his rascality, and the best way for the colored man to keep out of the penitentiary was to quit stealing.

By Senator WINDOM:

Q. Is it the general impression among colored people down there that they don't get justice?—A. Yes, sir; when two or three colored men get convicted they think so. But there are more black men convicted because there are more of them tried.

Q. You say they have not got sense enough to get out of it when they get in; they have attorneys, do they not?—A. Yes, sir; but very often they have not got the money to feed up an attorney; and, you know, the more you pay a lawyer the more he sticks with you.

Q. Is there not discrimination there in the employment of mechanics?—A. No, sir; I never heard of it.

By Senator VOORHEES:

Q. Do you know of any of these people, white and black, who have been convicted that you thought were convicted wrongfully?—A. No, sir.

Q. You thought they were rightfully convicted?—A. Yes, sir.

Q. You have been on juries yourself; did you ever make any difference between them?—A. No, sir; I have sat on juries there many times, and sat on a case of a white man who was tried for his life.

Q. Was there any other colored men on that jury?—A. No, sir; I was the only one on that one; but I have been on others.

Q. You have sat on juries when white men's cases were being tried, both on the criminal and on the civil sides of the court?—A. Yes, sir.

Q. Did any white man object to you sitting there?—A. No, sir.

Q. Then most of this talk about discrimination and injustice is by men who have been disappointed in the results of their suits?—A. Yes, sir.

Q. You see no cause for it yourself?—A. No, sir.

Q. You have heard white men who complained just as bitterly?—A. Yes, sir; of course. I suppose they are like I am. I always try to beat the case.

By Senator WINDOM:

Q. You say you think this land and tenant act a good thing; do you think the renter is in favor of it?—A. I don't know; they never say anything to me about it. I am on the other side of that question.

Q. Does not the fact that you own 285 acres of land give you a little better standing in the community than most of your colored friends?—A. Of course; I suppose it does.

Q. How did you start it?—A. I rented a farm and started on two government horses. I went to the tightest man I knew and got him to help me. I rented from Mr. Exam out there.

Q. Are there any others there who have succeeded as well as you?—A. Yes, sir, there are. One or two more who have succeeded better than me. There are several of them in good circumstances there in our township. I think, altogether, they own 1,500 acres there.

Q. How many colored people own this?—A. I reckon 150.

Q. The 1,500 acres is divided up among 150 people?—A. No, sir; a good many of them have got none.

Q. This is what I asked you: How many own this 1,500 acres, all put together?—A. I reckon a dozen. It might not be more than eight. It is from eight to a dozen, anyhow. But there are a number who own some little lots of four or five acres that I have not mentioned.

TESTIMONY OF J. C. DANE.

J. C. DANE sworn and examined.

By the CHAIRMAN:

Question. Where do you live, Mr. Dane?—Answer. Richmond is my headquarters.

Q. What is your occupation?—A. I am traveling agent of the Chesapeake and Ohio Railroad.

Q. What have you been doing, with reference to the transportation of emigrants?—A. Nothing, sir.

Q. What did you try to do?—A. After I found out what they were doing, and that they were under the control of the Baltimore and Ohio Railroad, I knew we had a shorter route, and I tried to get at the negroes who were controlling that.

Q. Who did you go to?—A. To Tailor, Evans, and this man, Scott.

Q. Where did you see them?—A. In Goldsborough.

Q. When?—A. The first time I saw them was the first week in December. I went down there and saw how they were going, and in what way.

Q. Were you sent by the company?—A. I had no instructions from any officer. I have my general instructions to look after business.

Q. You are a passenger agent?—Yes, sir.

Q. And you went to see if you could get your share of these emigrants?—A. Yes, sir; I wanted to see how they were going. I did not know they were going by the Baltimore and Ohio Railroad, at first.

Q. What did they tell you?—A. I heard that they were coming by Washington; and I heard from some of them that they said they could only

pay to Washington or Weldon; and I said that I didn't want any business of that kind. They were just trusting, after they got here, to the government or to the aid society.

Q. They were starting in the dark, then, and trusting to these agencies to get them on?—A. Yes, sir; I was there on the 2d of December, and I think they left the next day. I staid over that day and came up to Richmond on the same train.

Q. Did you see Dukeheart there?—A. Yes, sir; he was there, and he went in charge of them.

Q. He bid lower for them than you?—A. Yes, sir; I suppose so.

Q. Wasn't it their idea that this, being Washington City, and the seat of the government, that they would get on from here by its aid?—A. Yes, sir.

Q. But you had no Washington City on your route?—A. No, sir; if they had gone on my route they would have been thrown, probably, on the hands of our citizens at Richmond or some other point.

Q. But you have not taken any of them?—A. No, sir.

Q. All of them came through Washington?—A. Yes, sir.

Q. And that is about all the connection you had with these men?—A. Yes, sir. In January I went down and saw Evans, and told him I had come to make a proposition to him. The first time, they were then engaged to the Baltimore and Ohio, and he asked time to see about that. Scott said he would listen to the proposition, as he was clear of the Baltimore and Ohio road. But I have not heard from him since the 20th of January.

By Senator WINDOM:

Q. The reason you could do nothing with them was because they had a contract with the Baltimore and Ohio Railroad?—A. Yes, sir.

Q. Did you offer these agents a dollar a head?—A. Yes, sir; I would have done better than that for them, because we have a shorter line, and they were working the territory that we think is legitimately ours.

On motion, the committee adjourned to Saturday, February 7, at 11 a. m.

ELEVENTH DAY.

WASHINGTON, *Saturday, February* 7, 1880.

The committee met pursuant to adjournment.

Present: The Chairman (Senator Voorhees), Senators Vance and Windom.

The taking of testimony was resumed as follows:

TESTIMONY OF LEONARD G. A. HACKNEY.

LEONARD G. A. HACKNEY sworn and examined.

By the CHAIRMAN:

Question. Where do you reside?—Answer. Shelbyville, Shelby County, Indiana.

Q. What is your profession?—A. I am practicing law.

Q. What position, if any, do you hold?—A. I am prosecuting attorney of the sixteenth judicial circuit.

Q. You may state whether there have been any colored emigrants *from* North Carolina in your county, or any attempt to put them there?

—A. Yes, sir; on the 12th of December a number of them arrived there.

Q. Well, sir, what became of them?—A. They arrived there in the morning at about 10 o'clock, on the western-bound train. They got off the train right on at the depot platform. It was a very cold morning, and a man by the name of Morgan, a colored man, there took charge of them, and took them to his place of business, a sort of barber's shop and tenement-house combined. The mayor of the city called the common council together that evening, and made a statement to them in writing, that these people were there in destitute circumstances, and unless aid was given them at once they would suffer and perhaps die from exposure and starvation. I believe a committee of the council was appointed to provide for them temporarily through charity, and to feed them, and finally to secure homes for them if they could. I know they remained there at Morgan's for several days, but what final provision was made for them I do not know.

Q. How many were there in the crowd?—A. I did not count them, but I was told there were twenty-six. I believe the mayor so reported to the council.

Q. Were they men and women, both?—A. Yes, sir; and children.

Q. What proportion of them were men?—A. I am not advised as to the proportion. I think some six or seven were men.

Q. You say they landed there on the 12th of December?—A. Yes, sir.

Q. On a bitter cold day?—A. Yes, sir.

Q. Without any provision having been made for them?—Yes, sir.

Q. And in utter destitution?—A. Yes, sir; the mayor reported so.

Q. And the mayor made an official proclamation that they were in need of charity?—A. Yes, sir.

Q. What became of them?—A. I do not know what became of all of them. I have seen a number of them about the streets of Shelbyville, but I do not know their employment.

Q. Do you know where they are living?—A. I know they are in and about Shelbyville.

Q. Is that the only lot that came to your place?—A. That is the only lot to my knowledge. I was at the depot at that time, but I have been told there were two or three other squads that came in. One that came to Greesburgh came through in wagons. Others came over the I., C. & L. road to Greensburgh and Saint Paul, and they would be driven in or walk in to Shelbyville. That I have heard, but I do not know it.

Q. Shelby County is a Democratic county?—A. Yes, sir.

Q. And in the district it is in are Marion and Hancock Counties, and that makes it a close district?—A. Yes, sir; the difference it is thought is not more than 200, but I do not think it is any.

Q. Are the Republicans of the same mind?—A. Yes, sir.

Q. And the district is composed of Shelby, Marion, and Hancock Counties?—A. Yes, sir.

Q. What do you know of negroes going into Hancock County?—A. I do not remember to have heard anything of it from Hancock County.

Q. Have they not gone to Indianapolis?—A. O, yes, sir.

Q. You say you are prosecuting attorney; have you in any way in that capacity come into contact with any of these emigrants from North Carolina?—A. Yes, sir. Shortly after their arrival at Shelbyville there was a meeting of citizens, and some resolutions were passed concerning the exodus, and one of the resolutions was to the effect that the officers executing the law should take all proper and necessary steps to ascer-

tain who was engaged in this business of importing paupers into the county, so that they might be prosecuted.

Q. What is the law upon that point; I believe there is a penalty of $500 for bringing a pauper into the State?—A. Yes, sir.

Q. I think it is a law of 1852, probably; that is my recollection.—A. I know it is a law of several years' standing.

Q. That is making it a penal offense to bring any pauper into the State?—A. Yes, sir.

Q. Did you receive instructions from the bench upon that point?—A. No, sir, I received none except what was in the resolution where the officers were advised to take all neeessary and proper steps in the matter. At that time the grand jury was in session, and they caused subpœnas to be issued, and one or two of these North Carolina emigrants were brought before them. One of them, I do not remember which, but one was named James Harper.

Q. What was his statement like?—A. I heard it only, and it was to the effect that Sam Perry and one Williams visited North Carolina and made speeches and offered inducements to persons to emigrate to Indiana, telling them of their destitution in the South, and the advantages of the North over the South, of the liberty they would enjoy there, and the high wages they could receive for their labor, and that their transportation would cost them nothing if they would go. He said there was an arrangement by which their transportation would be paid to Washington, and in Washington there was a society to receive them and pay their expenses to Indiana. He said that from the time they left North Carolina until they reached Indiana they did not know where they were to be located. He said that several car-loads started, and none of them stopped until they reached the Indiana line. I asked him if he knew of any persons in the train at the time who were not Republicans. He said that he believed without exception they voted the Republican ticket. He said there was a sort of understanding that they were to be received there by somebody, but he did not know who it was.

Q. What did he say about finding these representations true or false?—A. They had been there so short a time that I knew he did not know as to that, so I did not ask him.

Q. What did he say about the scope of this emigration scheme? How many were going to be put into the State?—A. I do not think he stated. Knowing that the political aspect of the movement was insisted on, I asked him—I do not know whether I or the foreman of the grand jury asked the question, but he said all the women who came there had husbands and would be on after a while. I asked another colored man the question you put to me.

Q. Who was that?—A. A man who represented himself as Flowers. He represented that he was sent there from this place by some society.

Q. What did he say?—A. He was telling the auditor of our county, Mr. Carson, in the presence of Mr. Henry Ray, Mr. Wilson, and myself, and he said that some fifteen thousand would be brought into the State.

Q. Did he say at what time?—A. He said on or about the 1st of February; that is my recollection. He claimed that he had been sent out there to investigate the character and surrounding of a large and pretty vigorous mob at Shelbyville.

Q. Was there any mob there?—A. It is alleged by some that there was, but I do not think so.

Q. What do you know about it?—A. I wish to say that I was not present. I make this statement because it has been reported that I was *present.* Although I do not insist very vigorously on the denial, as I

am a Democrat and opposed to the exodus, yet I make it to set myself right. On the night this mob was reported to have visited the station I was going home; and saw half a dozen people standing near the stairs leading to Mr. Blair's law office. I halted near them, and they told me—some one did—to go upstairs. I went upstairs and found several gentlemen assembled there, and among them several gentlemen appointed on a committee to visit the trains and see the character and extent of the exodus coming into Indiana. Somebody said that a telegram had been received from Cincinnati, stating that a train load of emigrants were coming on to Shelbyville. Judge Ord and Mr. Glessner and I met them there, and we went home together. I can only tell from the statements of these persons who were present as to what was done, and their statements differ very much from the statements made in the newspapers, both as to the persons present and the character of the transactions.

Q. That was the kind of mob that was spoken of?—A. Yes, sir.

Q. There was no question of opposition on the part of your folks to these people coming there because they were colored people only?—A. No, sir; but I think there is a decided opposition to it by the Democrats and by the more respectable portion of the population in our town, without regard to the color of the people.

Q. Is it opposed by the workingmen?—A. I think by a large portion of them, but I do not know that I can approximate the number.

Q. It is winked at and connived at by your town politicians of the Republican party?—A. Yes, sir.

Q. What is the attitude of the Republican newspaper in your town?—A. It has taken occasion to assail anything that the Democrats or the Democratic papers say about it. I do not remember to have seen any other encouragement it has given to it.

Q. They give it no other encouragement than to oppose the Democrats for opposing it?—A. Yes, sir.

Q. What is the name of that paper?—A. It is called the Republican. It is a daily and weekly paper, edited by Simeon J. Thomas, Mr. Wingate, and Mr. Bone.

Q. Who is Mr. Bone?—A. Alfred P. Bone is postmaster.

Q. Have you seen any Republican newspaper that is opposed to this emigration?—A. No, sir.

Q. They are all hostile to this investigation?—A. As far as I have seen they are inclined to ridicule it; but this man Flowers said there was an organization here, an emigration society, that was furnishing transportation to these people, and that there was a subordinate society in Indianapolis.

Q. Did he mention anybody there who was active in the matter?—A. No, sir; I did not ask about that.

Q. Will you state what that book is (handing a book to the witness)?—A. It is the acts of the regular and special session of the legislature of 1875 of our State.

Q. I wish you would read there on page 106 of the acts of the Indiana legislature on the subject of landlords and tenants.—A. (Reading.)

"SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That section seventeen of the above recited act be, and the same is hereby, amended to read as follows: Section 17. In all cases where the tenant agrees to pay, as rent, a part of the crop raised on the leased premises, or a cash rent, the landlord shall have a lien on the crop raised, under such contract, for the payment of such rent: *Provided*, That nothing herein contained shall prohibit the tenant from removing from such

leased premises and disposing of so much of said growing crop, not more than his part, when the rent is to be paid in part of the crop raised, and in other cases, not more than one-half of the crop growing or matured. Approved March 11, 1875."

Q. That seems to be a lien on the whole crop with the privilege to the tenant of the removing of such portion as is his to the extent of not more than one-half?—A. Yes, sir. Where the rent is to be paid out of the crop, he is prevented from removing more than one-half of his own portion, and where it is a cash rent he can remove more than a half to create a lien on the whole, if it is at cash prices.

Q. It is claimed here that the penal laws of North Carolina are very severe upon the crime of petit larceny. As you are prosecuting attorney, state what are the laws in your State on that subject, and for what time a man can be sent to the penitentiary for it.—A. The general statute defining petit larceny and prescribing a penalty provides that the larceny of any sum under $15 shall be punished by imprisonment in the State penitentiary for a term not more than 14 years, and not less than one year.

Q. I think a man can be sent to the penitentiary for stealing one cent for not less than a year, and not more than three?—A. Yes, sir; that is the amendment of 1877.

Q. Now there was an act passed at the last session of our legislature, which I could not get this morning, on the subject of burglary or burglarious trespass; I wish you would describe it.—A. There was an enactment during the last session of the legislature of 1879 to the effect that any person who should, in the day or night, with or without force, enter the property—describing different characters of property—of another, with the intention of committing any misdemeanor or doing personal violence, or removing any property which the party was not authorized to remove, he should be guilty of felony, and imprisoned not more than fourteen and not less than two years.

Q. Then if a man were to step into an outhouse for a loaf of bread or a piece of bacon-ham, he could be punished in that way?—A. Yes, sir.

Q. Was it not passed because people were tramping around through the State, and going into outhouses and stealing?—A. I do not know the entire spirit of it, but when the session first met there were some young men in our county charged with larceny, and the evidence established that they had gone to a man's stable and taken his horse, or perhaps two horses and sleigh; and they had driven around over the country. He pursued them and did not get up with them until they came back to the stable. It was not their intention to steal the property, but only to use it for their frolic; and hence it was an error in charging either larceny or burglary, as there was no felonious intent. There was another case of a tramp who had gone to the house of a lady there and taken her horse and ridden it some distance and then turned it loose. So I wrote to Major Gordon and suggested some such an act as this, and it was passed.

Q. Then it must have commended itself to the votes of a majority of the members of the legislature?—A. Yes, sir; but I do not know what occurred at the passage of it.

Q. What is the demand for unskilled laborers in Shelby County?—A. Well, sir, our poor farm is conducted with, I think, very great economy, at an expenditure of $10,000 a year, and so far as my knowledge and information is concerned. the demand for labor has always been abundantly supplied, and still there has been ample demands made *upon the* accommodations of the farm.

What do you know of people seeking labor about there and not
; it?—A. I know of many round there who are good laborers
omplain of having no work to perform.

By Senator WINDOM:

What is the name of your county?—A. Shelby.
How many of these people have come in there?—A. I have no ac-
knowledge of the number. I was told by persons who counted
st batch that there were 26.
That you say, was December 12?—A. Yes, sir; my information
very definite as to the number following that.
What is your best information about the others?—A. I think I
safely say as many as twenty have come in since that.
Were they men or women mostly?—A. These I understand to
been men who have come in since.
All of them?—A. I have understood so.
How many men were there in the first batch?—A. As I stated, I
t know myself, but I was told six or seven, and I am not certain
at I got that information from this man Harper.
Then there were about the usual number of men out of the first
y six composing families?—A. I do not know, sir, as to that. I
this man told me he had charge of one or two families, and that
usbands had not come, but were to arrive.
Then there were rather more than the usual number of women and
ren?—A. Yes, sir.
You said something of a number of them getting off at a station
talking or riding in?—A. I think I have heard of some getting off
eensburgh and Saint Paul, twenty miles, probably.
They would get off at the station and come in at night, I under-
?—A. Yes, sir.
Do you know what was the reason of that?—A. I do not know,
understood they had some fears of violence.
Was that after the organization of this self-constituted committee
ich you spoke, and who were to go and see them arrive?—A. I do
eak of anything of that kind.
What is that room of which you spoke?—A. I stated it was a room
ccupied by Mr. Blair as a law office, and I went up there.
Who did you find there?—A. I found fifteen or twenty persons

What were they doing?—A. They were talking about receiving a
am from Cincinnati that a large train load of emigrants had
l to Shelbyville, and were going down there to the depot to in-
into it.
Was it just a simple inquiry that they were going to make? Did
ir to you that that was rather a novel way to make an inquiry?—
, sir; I do not think it occurred to me in any way.
How did it occur to you as an officer of the law?—A. I do not
as an officer it occurred to me at all.
How did it occur to you as a citizen?—A. It occurred to me that
were some hoodlums going down there to act the fool.
What kind of people were they in this party?—A. They were not
st class of people, some of them.
You thought they were a crowd of roughs going down to the train
the fool?—A. I think some in the party were pretty rough.
How many respectable people did you notice?—A. Four or five.
Were they opposing the operations of the hoodlums in the matter
estigating the train?—A. I heard no talk of it.

Q. What were they doing?—A. They were quiet, and two of the gentlemen came out and we went off together.

Q. What did they say they were going to do, these hoodlums?—A. They said they were going down there to tell the damned niggers they could not stop there.

Q. Did they do anything more?—A. No, sir. I thought they might go down there and talk loud and give us just such a report as we got.

Q. The report made of that affair was pretty rough in some cases, was it not?—A. Yes, sir; and I expected it from the character of our partisan newspapers.

Q. And you saw all that was going on, and as a peace officer did not speak to prevent it?—A. I am not a peace officer.

Q. If you see a mob in process of forming, do not you feel it to be your duty to tell people to desist?—A. I did not take it that there was anything in the character of a mob there.

Q. What is a mob in your estimation?—A. Well, it is something in the character of a crowd of people with pistols, rocks, and bludgeons bent on doing violence.

Q. That was the character of the report that was made of this crowd, was it not?—A. Yes, sir; and I took occasion to ask a number of people about it, and found there was nothing of the kind.

Q. Who did you ask?—A. I cannot tell you all the persons.

Q. Who was one of them?—A. John Hook is one of them.

Q. Is he a hoodlum?—A. He is recognized as one by some people.

Q. And you went to the hoodlums to hear about what they did?—A. I went to one of those who were there.

Q. And you went to them to know what they did as a mob?—A. I thought they would know best, certainly better than people who were at home in bed.

Q. Is it the character of your prosecutions that when there is a crime to be prosecuted you go to the criminal to find out whether he is guilty first?—A. I have frequently had men charged with crimes before a grand jury, and I thought it was my duty to inquire into both sides.

Q. Who did you inquire of on the other side?—A. I do not think I did so. I did not think it was necessary to make any inquiries on the other side.

Q. You stated you did make inquiries on the side of the hoodlums?—A. That was only for personal reasons.

Q. And you were satisfied that the reports of their transactions were not so?—A. Yes, sir.

Q. Were they Democrats?—A. Yes, sir.

Q. Who else did you ask?—A. I asked Walter Colt; he was a Republican.

Q. What did he say?—A. He said it was a damned lie.

Q. Most of the Republicans reported the names, did they not?—A. I do not believe any of them were there.

Q. You think there were no Republicans about the depot?—A. I do not know of any.

Q. What did you say to any of them about it?—A. Nothing.

Q. What did you say when they said in the room that they were going to the train?—A. Not a word.

Q. Were you not in favor of their going?—A. No, sir.

Q. Were you opposed to it?—A. No, sir.

Q. What did you say about it?—A. I did not give it a thought.

Q. Who invited you as the prosecuting attorney to go up there?—A. *Nobody did it.*

Q. Were you not the prosecuting attorney?—A. Yes, sir.

Q. And you were invited to their meeting?—A. No, sir.

Q. Who told you to go upstairs?—A. I think Mr. Wilson, but there was no consultation about it. He was connected with a newspaper. He is a sort of volunteer, and he simply said to me to go upstairs.

Q. Did he go up with you?—A. No, sir.

Q. What were the politics of this volunteer?—A. Well, his paper that he was with pretended to be a Democratic paper, but it was doubtful.

Q. To get at it straight, now, you were going along on the street and a man invited you upstairs into a room; now were those parties you found there, those 15 or 20, very much excited?—A. No, sir; I think not.

Q. They had received news that a train load of emigrants were coming, and they were going down to see to it; what did they mean by that?—A. They said they were going down to tell the damned niggers they could not get off there.

Q. And these, you think, were hoodlums?—A. I do not think, and did not say, they were all hoodlums.

Q. You said there were respectable people and hoodlums in the crowd, and they were going down to the train to tell the damned niggers they could not get off?—A. Yes, sir.

Q. You saw them making these arrangements and said nothing?—A. Yes, sir, I saw them, and I said nothing.

Q. Do you consider that it would be a breach of the law to prevent the negroes from getting off the train?—A. Technically, no, sir.

Q. Well, substantially?—A. Yes, sir; but I thought that breach was more than closed by the purposes of bringing them there.

Q. And you went to your home and to your room?—A. Yes, sir.

Q. And did not you think that, after the prosecuting officer had been invited into their counsels, and had failed to warn them of their violations of the law, they would consider you would not be hard on them?—A. In the first place, I did not think of it when I got to my room; I did not think anything about it. I was not sent for to be consulted about it. I was not consulted; not a word was said to me, personally, about the purposes of their going.

Q. We understand you that you were invited up there?—A. I understand that I stopped there and asked what was going on, and they said to go upstairs, and I went up, and found these men there, heard their conversation, and then went home.

Q. Is it customary to invite prosecuting officers in where a conspiracy is being formed?—A. I do not consider there was any conspiracy in this case.

Q. You found respectable men and hoodlums there, and they said a number of people were coming there on a train, and they were going down there to tell them not to get off; did not you understand that that was a conspiracy to intimidate those people?—A. I understood that there were a number of men who were going down to the train to tell the damned niggers not to get off, and you can make what you please out of it.

Q. That is what you heard?—A. That is all I heard.

Q. How long were you there?—A. About three minutes.

Q. Who addressed you first when you went into the room?—A. I stated to you that I was not addressed at all. I stated that I stepped in and staid there a moment or two, and then went home.

Q. You staid there long enough to know they were going to keep

these negroes and innocent people of a peaceable character from get off of the train and stopping in your town?—A. I do not know thing of the peaceable character of the negroes. I thought if t went down there and did what they said, it would be a decided no to the negroes that they were not wanted there.

Q. You thought no violence was going to be committed?—A. sir. I say they were swearing that the damned negroes should not off there.

Q. Were they men who would naturally give a polite notice of sort to people they did not like?—A. They were the kind of men usually do more talk than they do acting. I did not believe that t would be any violence, and I think there was none. I think my imp sions at the time were proved to be correct.

Q. Is it a habit in your county to call the prosecuting attorne when a thing of that sort is to be done; or did you think that this a Democratic crime, and you being a Democratic prosecuting attor it would make no difference if you were informed of it?—A. I did think any of those things.

Q. It is the habit, is it not, in your county, to call the prosecu attorney in when a crime is contemplated?—A. I do not think this Democratic crime, or that my being a Democratic prosecuting attor had anything to do with my going there that night.

Q. Now you have said that you were invited to go there, and you have said that you were not; which shall I believe?—A. I sai such thing. I said I saw a man named Wilson, who was near the of the stairs. I do not know whether he was the party or not; when I asked what was going on he said to go upstairs. I did not sider that as an invitation, but simply a notice that if I was cur about it I could go and find out for myself.

Q. You saw him there?—A. Yes, sir.

Q. And he told you to go upstairs?—A. Yes, sir. I said I saw there, but I did not say he went upstairs.

Q. Why did he invite you up?—A. I have no impression about because he did not invite me up.

Q. Well, think about it.—A. It requires no thought, sir.

Q. Have you no impression on the subject?—A. No, sir.

Q. When you came down after seeing what was going on, did have any impression about it?—A. I did not think of it.

Q. Did you see him up there?—A. I never said he was up there.

Q. Then am I to understand that you were ordered up there?—was not ordered up there. I have said to you a dozen times almost, I repeat it, that I met William Wilson at the foot of the stairs, a asked what was going on upstairs, and he told me to go upstairs see.

Q. What did you consider that to be?—A. I told you the facts, you can draw your own conclusions.

Q. Then I draw the conclusion that it was not an order to you; right?—A. I give you the facts, and you can digest them as you pl

Q. You found your way up there at somebody's suggestion?—A. sir. I have told you that twelve or fifteen times.

Q. Are you sure it is twelve or fifteen times?—A. To the best of recollection it has been that many.

Q. And you swear it?—A. Yes, sir; to the best of my recollectic

Q. And you made no inquiry about the mob, except to the men were engaged in it?—A. I stated so, sir.

Q. Who were those resolutions passed by? Were they citizens of Shelbyville?—A. Yes, sir.

Q. What were they—the resolutions, I mean?—A. I think they were to the effect that while they recognized the right of colored emigrants to emigrate to Shelbyville or Shelby County for legitimate purposes, they believed these half-starved, deluded, and unfortunate wretches were brought into the State for political purposes; that they were deceived, and that it was the duty of every good citizen to advise them and get them to return.

Q. Have you a copy of those resolutions?—A. No, sir.

Q. That was a sort of Democratic arrangement that passed those resolutions?—A. Well, sir, by way of parenthesis, it was.

Q. What does the Democratic party think about it?—A. They think it is wise to make these people understand that the Republican party are using them as though they were cattle or hogs driven about for political purposes.

Q. That was the opinion of that caucus, was it?—A. That was the spirit of the resolution.

Q. What was that resolution of theirs about the penalty?—A. That they deemed it the duty of the officers of the county to investigate the matter and take proper steps to punish such persons, either foreign or local, whom it might be found were engaged in importing these people into our county.

Q. Tell me what evidence you have that the Republican party was doing this?—A. I do not profess to give the evidence.

Q. You have not any?—A. I think it is a logical deduction from the facts, which you might make as well as I.

Q. What are the facts from which you deduce it?—A. Well, sir, here are poor people without money to pay their way to the North, and who know the people they live among, and have plenty of work to do there, are in a climate adapted to them and to their natures, who are going into a State where there is no work for them, where the people do not understand them, where the climate is poor for them, and the wages are not so good as in the South; therefore I think it is an unreasonable thing that they should be emigrating in that way unless somebody was assisting them; therefore, as the Democrats will not assist them, and as the Republicans need them, I make the deduction that the Republican party is at the bottom of the movement.

Q. Do the Democrats have any sympathy with the negro in your State?—A. I think quite as much as the Republicans, except in the matter of their votes.

Q. Your party, you think, has as much sympathy with them and are as good friends to the negroes as the Republicans?—A. I think the Democrats of my State have as much sympathy with them as the Republicans, and employ as many of them, and pay them as well, and all that.

Q. Do you know of any Republican by name who has been engaged in bringing these people there?—A. I do not.

Q. You do not know of one?—A. No, sir; only by these indefinite, floating rumors.

Q. Why, then, do you charge it on them?—A. I believe I gave you my reasons a moment since.

Q. I believe you did not; and you have no reason therefor?—A. Personally I have not.

Q. Have you heard anybody else state that they were doing it?—A. Yes, sir.

Q. What investigation did you make of it?—A. I made no extensive investigation of it.

Q. Have you made any?—A. I do not know that I have.

Q. Do you know why, if the Democrats are so dead sure that the Republicans have so imported these negroes, and are doing it, they, the Democrats, do not avail themselves of the penalties of the law?—A. Well, sir, the rascals who are doing it, if any there are, have been so successful in covering up their tracks that we cannot find them out.

Q. You cannot find them out?—A. No, sir.

Q. And yet you charge it on the Republican party?—A. I think it is their work to a moral certainty.

Q. Do you think it is a moral certainty that seven or six men were brought in there by the Republican party to vote, encumbered with 26 women and children?—A. I think that might be done if others were expected; and these families had come ahead in order to gain a residence for them.

Q. Do you know that to be a fact from anything they have said?—A. No, sir.

Q. Or from what anybody else had said?—A. No, sir; I do not know as I do.

Q. The first batch you say were 26 in number?—A. Yes, sir.

Q. And there were about six men among them?—A. Six or seven.

Q. Did your Democratic party come to the conclusion that these six men were going to overslaugh you, and that the Republican party brought these people there simply that these six or seven men might vote?—A. My impression was that they were simply a starter, and were to feel the pulse of the people out there.

Q. Did you get frightened at their coming?—A. No, sir.

Q. Did you get disgusted at their coming?—A. I do not know as I did.

Q. Do you really think if they were importing voters to carry the State that that might be the way for the Republican party to do it?—A. I thought it might be done that way.

Q. You think it is reasonable?—A. Yes, sir, I do.

Q. You think it is reasonable that any party would bring 26 women and children half way across the continent in order to get six votes?—A. No, sir; I don't think you have any right to draw that deduction from anything that I have said. I said I thought that they brought these people there and put them off to feel the public pulse.

Q. How did you get that impression?—A. It was in my own mind.

Q. You had not heard, had you, that any more were coming?—A. Yes, sir; for it had been preached there since 1876.

Q. Who by; the Democrats?—A. Yes, sir.

Q. Principally by Mr. Hendricks?—A. Yes, sir; and he is a very respectable man.

Q. It was used, then, as a political argument by your party?—A. Yes, sir.

Q. And when 26 women and children and six men came, you thought it was going to be the commencement of the avalanche?—A. No, sir; but I heard of a number of others who were settling in other parts of the State.

Q. You say you have a penalty of $500 for bringing paupers into the State?—A. Yes, sir; for settling paupers in the State.

Q. Do you know that these were paupers?—A. They are generally understood to be. I took it to be so from the reports.

Q. *Do* you know of any effort having been made anywhere in your

State to fix this sentence upon any party in the State?—A. Well, sir; the experience I have had, which I have detailed, will suffice to answer you as to my knowledge.

Q. You told Mr. Voorhees that an effort was made in your county?—A. I stated, sir, that in Shelby County the grand jury caused two of these men to be brought before them, and their sworn testimony was given as to who brought them, and what they had experienced.

Q. Did you find out who brought them?—A. No, sir; I found out nothing of the motives of the parties who were bringing them through the country and seeing them at the depots.

Q. Did you learn anything going to show that the Republican party had anything to do with it?—A. I learned that Sam Perry and Williams were going through the South, and doing this thing by speeches and misrepresentations to the colored people.

Q. Did you hear of anybody in Indiana who was instigating it?—A. No, sir; I heard the witness state that he understood that they were to be received there by somebody, but he did not know of anybody who was to do it.

Q. Do you think that if the Republicans were engineering this movement it could be found out by a grand jury?—A. I do not think so.

Q. But it is a difficult crime to prove?—A. Yes, sir.

Q. They would have to have money, would they not, to bring these people there?—A. Yes, sir.

Q. Do not you think that if money was furnished for that purpose, you could find it out?—A. I think not, sir.

Q. Suppose this was a conspiracy to pass counterfeit money or a conspiracy to steal horses, instead of to bring colored voters to Indiana; what do you think then?—A. I think the same, for I know many murders have been committed, and the perpetrators never found out. I know that at the time our grand jury investigated it they could get no evidence on which to base an indictment.

Q. Have you heard of any more efforts in that line?—A. No, sir.

Q. Do you not think that you can find out who of the Republicans are doing this?—A. Well, Senator, if you can assist me, I would like very much to rattle some of them.

Q. Awhile ago you used language of this sort: that you did not want to insist very much on your denial that you were in that mob, as you were a Democrat; what do you mean by that?—A. I wanted to state that I was not taking very active steps to disprove that I was with the mob, as stated by the Republican papers. They stated that I was with Judge Ord and Glessner and others, and that we were present with the mob, and encouraging it. I want to state that I was not with it; I do not want the statement of these false reports to be taken as evidence against me here.

Q. And you said you were a Democrat?—A. Yes, sir; I do not take particular pains to deny it. For political reasons it did not make any difference to me, but for moral reasons it might.

Q. Is that the style in Indiana, that a prosecuting officer does not care to deny that he was in a mob?—A. No, sir.

Q. Do your county officers generally feel that way?—A. I do not know, sir.

Q. You said you had not seen any Republican papers that opposed this exodus?—A. No, sir; and I do not say that I have seen any that favored it.

Q. Have you seen any Republican or Democratic paper that is opposed to the emigration of any people other than these North Carolina

negroes?—A. Yes, sir; inasmuch as I have seen numbers of them that opposed the immigration of Chinese.

Q. Do not the Republican papers feel and hold that anybody should be permitted to come there and make it their home?—A. I think I have seen editorials in some of them against men coming there who are unable to take care of themselves, and I do not know of any efforts to bring them there.

Q. Can you advise the suffering Irish people to come there?—A. I do not know as I could answer, except to say that the demand in Indiana for labor is supplied.

Q. You do not think it best for them to come there?—A. I do not think it best for them.

Q. Then that is one State that is not an asylum for the oppressed?—A. I do not know as to the sentiment of the State; I speak for myself.

By the CHAIRMAN:

Q. You knew of no mob in Shelbyville, and you knew that as well as anybody could know it?—A. I know the report about the mobs there were gross exaggerations.

Q. You satisfied yourself that no violence was committed?—A. Yes, sir.

Q. The prosecuting officer in Indiana is not a peace officer?—A. No, sir.

Q. He has no power to arrest anybody?—A. No, sir.

Q. Nor to command the peace?—A. No, sir.

Q. But only to prosecute complaints that are lodged with him?—A. That is where his duty commences.

Q. You simply heard that some men were trying to prevent these paupers coming into the county. Do you think it a crime for a man to try to prevent the commission of another crime?—A. No, sir; I do not think it was any crime technically. In the other case I know of no statute in the State to punish these men for what they were doing.

By Senator WINDOM:

Q. It seems that you now remember something else; these men said, as you remembered, something about paupers?—A. No, sir; I refer you to the statement I made.

Q. Did you hear them say that?—A. I did not hear the word "paupers" used; they were going to tell the damned niggers not to get off.

Q. It was "damned niggers" that you heard?—A. Yes, sir.

By the CHAIRMAN:

Q. When they got off they proved to be paupers, and the mayor made a proclamation to that effect?—A. No; you forget the time, Senator. It was in December when the paupers came there, and the proclamation was made when there was information of another car-load coming, and that was the time that these men said they were going to tell the damned niggers not to get off.

By Mr. WINDOM:

Q. What became of the paupers?—A. I understand that 18 or 20 of them are down below town in a hovel, suffering from cold and hunger, but I do not know anything about it myself.

TESTIMONY OF MILTON M. HOLLAND.

MILTON M. HOLLAND sworn and examined.

By Senator WINDOM:

Question. You are a member of this local organization called the Emigrant Aid Society?—Answer. I am.

Q. What do you know of it as a political organization, if you know anything about that?—A. The organization was formed about the 20th of March, four or five days after the lot of emigrants was reported in a destitute condition at Saint Louis, Missouri.

By the CHAIRMAN:

Q. That was last March, about a year ago?—A. Yes, sir.

By Senator WINDOM:

Q. Tell us what the objects of the organization were?—A. They were purely charitable—to aid these people.

Q. Do you know of any steps ever having been taken in any way whatever to induce men to go to any State or Territory for political purposes?—A. No, sir. I wish to say right here that that question may be settled at once so far as our organization is concerned. We have sent sixty odd of these people to Ohio. In December there were four men, full-grown men, who had got tickets to Indianapolis, Indiana, and they had reached the depot here, and in conversing with them they said that they desired to go to Gallia County, Ohio. Mr. Freeman asked me what should be done in the matter, and I said, "Let them exchange their tickets, and let them go where they want to." And we kept them here until Mr. Freeman could get their tickets exchanged, and they got tickets to Indianapolis. Our society has nothing to do with any political organization whatever. It has nothing to do with politics. Mr. Perry or Mr. Williams are neither of them agents of the Emigration Society. We have no agents of any kind.

Q. Did you ever have any?—A. Never.

Q. Have you ever done anything in any way, manner, or form, as a society, to encourage people to leave this State?—A. No, sir; but we sympathize with them.

Q. Of course you do. But the society was organized, as I understand you, solely with reference to the emigration from the States of Louisiana and Mississippi, and with reference to helping the people who had gone to Kansas?—A. Yes, sir.

Q. State any efforts you ever made to divert them from Kansas to any other place.—A. I never made any. I have sent some to Ohio, to Gallia County, to Athens County, and to Glenwood, West Virginia, and to Parkersburg, West Virginia.

Q. How did you happen to send them there?—A. Because they were here and a gentleman who was on here wanted them to go, and some preferred to go there because others had gone there in July and had written back to them that they had done well.

Q. In these localities?—A. Yes, sir. When I was there in Ohio—I had my leave of absence last fall—I met—let me see; I have got a paper here—three men and two boys, good-sized boys, who went there from here on the 18th of July. We helped them to get situations, and they were doing well at Gallia County, Ohio—at Harrisburg.

Q. And you understood that they had written back to these people?—A. Yes, sir. In October there was another lot went to Gallia County, Ohio.

Q. How was this money raised with which you helped these people?—A. We begged it from charitably disposed persons—from the churches. And I wish to say here this about the Republican party: I have a good deal of fault to find with that party, and in this way, that if this had been a political movement none of them have ever given anything, and I feel very hard about certain cabinet officers who gave $50 to the Irish relief fund when they would not give us a penny. I do not know, however, that they were asked for it, but they knew that these people were here and needed help.

Q. Well, from what you have heard of the condition of the people in the Southern States, in Mississippi, Louisiana, &c., what was your opinion as to how they could better their condition by going to Kansas or anywhere else?—A. My opinion was, and still is, that these people there in Louisiana, Mississippi, South Carolina, or North Carolina, can better their condition in Indiana.

Q. What is your opinion still on that subject?—A. Well, sir, from the testimony given here, I have been confirmed in that opinion, and I think I shall work with a great deal more enthusiasm in this movement than ever before.

Q. In the discussions that have taken place in your society, has there ever been any resolution or act or anything done which would commit it in any way to the favor of any political movement whatever?—A. No, sir. I said in a public meeting here—and I suppose that is what has caused a good deal of talk about this being a political movement—that if the Democratic party pursues this course I should be in favor of taking every man south of Mason and Dixon's line and sending him off to the North.

Q. What for; for political purposes?—A. No, sir; but that they might have their rights. I lived in Ohio, near the Indiana line, and I knew that it had always been considered a bad State; that is, it had a bad record during the war. I believed and I thought that the influence of the Republican States of Michigan, Ohio, and Illinois had materially changed their sentiments against the colored people since the war, but I never did favor their going to Indiana.

By the CHAIRMAN:

Q. You say you never favored their going to Indiana?—A. Yes, sir.

Q. What do you mean, then, by saying a moment ago that they would better their condition in Indiana?—A. I believed then, and I believe now, that their condition would be better in Indiana than in the Southern States.

Q. What did you mean to say, then?—A. Well, I believed or thought that there would be enough good Republican men in the State of Indiana to protect them in their rights.

Q. What do you mean by saying that you never favored their going to Indiana?—A. I never urged them to go there; I preferred their going to Ohio, to Illinois, to Michigan, or Kansas and Nebraska, or any other State that you could mention in preference to that. As I said, I had heard and knew that Indiana was a pretty hard State; that is, it was during the war.

Q. Where do you live?—A. In Columbus, Ohio.

Q. What do you do there?—A. I am not living there now.

Q. What do you mean by saying that you live there and that you do not live there? I asked where you lived and you said Columbus, Ohio, and in the next breath you say you do not live there.—A. Senator Voorhees, don't you know that I am in the goverment employment *here?*

The CHAIRMAN. I do not.

The WITNESS. Well, you seemed to find me.

The CHAIRMAN. I do not know that you are a man of so much consequence that I should know that you were in the government employ.

The WITNESS. Of course not.

By the CHAIRMAN:

Q. What position do you hold?—A. Second-class clerk in one of the departments.

Q. In what department?—A. In the Bureau of Internal Revenue, law division.

Q. Yes; and you say do not live in Columbus; where do you live?—A. Here, now.

Q. How long have you lived here?—A. Ten years and a little over.

Q. Did you ever live in Indiana?—A. No, sir.

Q. Were you ever in Indiana?—A. I might say that I was. I was in Harris—I think it is—part of it is on one side and part on the other of the State line.

Q. I do not know any such place.—A. There is such a place.

Q. What part of Indiana did you live in?—A. Just across the line.

Q. Yes; and you had always heard in regard to Indiana that it was a pretty hard place on colored people?—A. Yes, sir; that is what I have heard.

Q. Still you think that after hearing what you have heard from these witnesses from North Carolina that you would work more enthusiastically to get the people from the South to Indiana than ever before?—A. I did not say from the South.

Q. You named the States of Louisiana, Mississippi, South Carolina, and North Carolina.—A. I did not say that I would work more enthusiastically to get them into Indiana.

Q. What did you say?—A. I said I should prefer their going to Indiana, bad as it is, rather than to have them stay in these States.

Q. You think that Indiana affords better inducements to the colored people than North Carolina?—A. I think so.

Q. Did you ever hear of a negro in Indiana who owns a thousand acres of land?—A. I did not.

Q. No; and you did not know how the colored people were treated there; did you ever hear of a negro serving on a jury in Indiana?—A. No; I never did.

Q. Did you know of a canal commissioner in Indiana belonging to your race—the only office-holder of your race there?—A. That is one; I do not care so much about these officers.

Q. No; being an officer yourself, I do not suppose you do. Did you ever hear tell of the Republican party in Indiana giving to the colored man an office, other than that which Colonel Hinton had as canal commissioner?—A. I have heard of Walker being mail agent.

Q. That was, he carried the mail from the Federal office to the depot. You never knew of one in the Federal legislature?—A. No, sir.

Q. There never was but one in the legislature of Ohio till this winter?—A. No; but we are going to have more. Ohio is coming around, and as civilization extends I hope it will extend over into Indiana; I think it will.

Q. Have you heard of the fact that a colored legislator sued some hotel or restaurant-keeper for not letting him sit down at the table?—A. I did not know that he was sued; but I did not approve of Mr. Williams' going there if they did not want to entertain him.

Q. You have, then, no political feeling yourself, have you?—A. None whatever; except this, that I want to get these people out from what I believe to be the oppression of the South.

Q. You think they are terribly oppressed in North Carolina?—A. I do think so. When a man has to live on three pounds of bacon and a peck of meal per week I think he is considerably oppressed.

Q. There has been no proof of that kind.—A. That is the testimony, I think.

Q. From whom?—A. Your minutes will show—three pounds of bacon and a peck of meal a week.

Senator VANCE. I do not think that that was testified to. It was ten dollars a month and three pounds of bacon and a peck of meal.

The CHAIRMAN. The ten dollars a month escaped your notice; you could not remember that.

Senator WINDOM. It was six dollars a month in some cases.

The WITNESS. I know at any rate that Mr. Kelley—man cannot live on the wages he was getting.

By the CHAIRMAN:

Q. Well, you say that you think the colored people are greatly oppressed in North Carolina, and that they would do better in Indiana?—A. Yes, sir.

Q. And that there is nothing political in this movement of yours at all?—A. Nothing political at all.

The CHAIRMAN. Well, that is all.

TESTIMONY OF SAMUEL L. PERRY.

SAMUEL L. PERRY sworn and examined.

By Mr. WINDOM:

Question. Give us your full name, please.—Answer. Samuel L. Perry.

Q. Where do you reside now?—A. I am here now temporarily on Wilson street, Washington City.

Q. Where has your home been for several years past?—A. In North Carolina, sir.

Q. What part of North Carolina?—A. Originally in Chatham, but for the last ten or thirteen years I have been living in Lenoir County.

Q. How far is that from Goldsborough?—A. Thirteen of fourteen miles by rail.

Q. You have heard a good deal of this testimony with reference to this exodus from North Carolina. Now begin at the beginning and tell us all you know about it.—A. Well, the beginning, I suppose, was in this way: The first idea or the first thing was, we used to have little meetings, to talk over these matters. In 1872 we first received some circulars or pamphlets from O. F. Davis, of Omaha, Nebraska.

Q. In 1872?—A. Yes, sir; in 1872—giving a description of government lands and railroads that could be got cheap; and we held little meetings then; that is, we would meet and talk about it Sunday evenings—that is, the laboring class of our people—the only ones I knew anything about; I had not much to do with the big professional negroes, the rich men. I did not associate with them much, but I got among the workingmen, and they would take these pamphlets and read them over. We then thought that if we could get out West somewhere we

would go in a colony; but after a while we let it all die out; and in 1876 it sprung up again, and we sent a petition to the legislature—to Mr. Williamson, I think. There were a great many signers to that petition, asking to ask Congress to set us apart a territory in the West. That was in 1876, but afterwards they gave us some schools and one thing or another, and we all got satisfied; that is the college you hear so much talk about and the asylum. Well, that died out; but to come down now to the fall before this last——

Q. You mean the fall of 1878?—A. Well, I was going to say that the fall before last the crop was short or something or other, and there was a terrible cleaning up of the colored people; sometimes two or three wagons would be at one man's house—white people as well as colored people—and they would talk of what they would do under the mortgage system. And these complaints came up again. They wanted to go away. About that time I was a subscriber to the New York Herald, and from an article the report was that the people were going to Kansas; we thought we could go to Kansas; that we could get a colony to go with us. That waslast spring. We came together and formed ourselves into a colony of some hundred men; that was all we was to have. It was not to be considered an exodus; we did not use the word emigration. There was only a hundred of us, and I have the original petition. I have got it here. We thought we could probably go North somewhere and find somebody that would stand behind us with money enough to keep us up.

Q. If you have that petition, let us have it.—A. We started with one hundred, but afterwards they sent sixty-eight more to us.

Q. Just get us that petition and read it.

The WITNESS [producing a paper]. It was addressed to the National Emigrant Aid Society, and is as follows:

To the NATIONAL EMIGRATION AID SOCIETY:

We, the undersigned colored people of the second Congressional district of North Carolina, having labored hard for several years, under disadvantages over which we had no control, to elevate ourselves to a higher plane of Christian civilization; and whereas, our progress has been so retarded as to nearly nullify all our efforts, after dispassionate and calm consideration, our deliberate conviction is, that emigration is the only way in which we can elevate ourselves to a higher plane of true citizenship.

As our means are insufficient to emigrate without the aid of friends, we therefore petition your honorable body, through our worthy agents Samuel L. Perry and Peter C. Williams, for aid to emigrate to some of the Western States or Territories.

And we furthermore agree to be bound by any contract that they may enter into in their efforts to secure aid for our transportation and settlement; and your petitioners will ever pray.

1 Redrick Hood.
2 J. H. Wooten.
3 Jesse Wooten.
4 Thomas Hill.
5 Henderson Washington.
7 Lewis Flemings.
8 Orlando Marrca.
9 Henry Wooten.
10 Henry Hardy.
11 Robert Wooten.
12 Haywood Edward.
13 Bennett Haywood.
14 Wright Parks.
15 Allen Smith.
16 Raleigh Wooten.
17 Elias Simmons.
18 Shade Simmons.
19 Oscar Jones.
20 Moses Stubbs.
21 Charley Stubbs.
22 Theodore Washington.
23 Simon Wooten.
24 Daniel Maborn.
25 Daniel Blount.
26 P. L. Wade.
27 Abell Gardner.
28 Alfred Mewborn.
29 Allen Spright.
30 Tally Mewborn.
31 Cater Bradberry.
32 Leonard Sherrod.
33 J. R. Martain.
34 Henry Smith.
35 Ephraim Jones.
36 Hiram Parks.
37 Jane Peacock.
38 Frank Blount.
39 Delilah Howard.
40 Geo. Thompson.
41 Rider Bell.
42 Caroline Vest.
43 Mingo Simmons.
44 Noah Best.
45 Jacob Bryant.
46 Elech Gray.
47 William Warters.
48 John Blue.
49 Bryant Harper.
50 Axum Kennedy.
51 Caleb Vaughnes.
52 Samuel Miller.
53 Sarah Williams.
54 Thomas Gregory.
55 John Taylor.

56 Joseph Anderson.
57 Spence Edwards.
58 Wm. Wooten.
59 Cicero Wooten.
60 Homer Borden.
61 R. T. Jones.
62 Spence Herring.
63 S. J. Dixon.
64 Julia Hill.
65 Hiram Joyner.
66 William Lynch.
67 Lewis Anderson.
68 Harkless Fuller.
69 Jack Kennedy.
70 Solomon Wooten.
71 Henry Barbee.
72 Gabe McMemitt.
73 Haywood Jones.
74 Leah Best.
75 Abner Whitney.
76 Luke Parks.
77 Jane Bryant.
78 James Palmer.
79 Irwin Simmons.
80 John Sutton.
81 Frank Taylor.
82 Geo. Hood.
83 Rufus Hood.
84 A. P. Williams.
85 Barney Dawson.
86 David Binghams.
87 James Darden.
88 Gilbert Hood.
89 Bryant Best.
90 Bryant Parks.
91 Jon. Gatlin.
92 Henry German.
93 Kisiah Smith.
94 Wright Rouse.
95 Morning Mosely.
96 Peter Fuller.
97 William Wooten.
98 David Best.
99 A. E. Perry.
100 J. C. Wooten.
101 Adlas Mitchener.
102 Mary Sutton.
103 B. H. Herring.
104 W. A. Chambers.
105 Geo. Conley.
106 Daniel Lottin.
107 Henry Thompson.
108 Jack Smith.
109 Levi Edmonson.
110 Caleb Sutton.
111 Tobias Williams.
112 Limbrich Lassetter.
113 Jordan Wooten.
114 Joseph Ford.
115 C. R. Perry.
116 Raleigh Mewborn.
117 Jack Smith.
118 Patrick Joiner.
119 Joseph Goodin.
120 Sanders Jones.
121 Henry Gatlin.
122 Biddle Stroude.
123 Alexander Joiner.
124 Peter Reid.
125 Stephen Wadkins.
126 Franklin Jones.
127 Robert Garrett.
128 Benj. Stanley.
129 Francis Adams.
130 Williams Reid.
131 David Johnson.
132 Richards Wooten
133 Cesar Dawson.
134 Wright Dawson.
135 Samuel Waters.
136 Henry Dawson.
137 Reuben Atmore.
138 Willis Wooten.
139 Jerry Williams.
140 Frank Blount.
141 Henry Smith.
142 George Smith.
143 James Mathis.
144 C. J. Joiner.
145 Frank Miller.
146 Bright Joiner.
147 Daniel Wooten.
148 Jas. Copse.
149 C. B. Waters.
150 Emily Jones.
151 Annie Dawson.
152 Madison Lane.
153 Sam Thomas.
154 Simon Dancy.
155 Mary Shepherd.
156 Abraham Boyd.
157 Henry Cushin.
158 P. R. Pittman.
159 Willis Statin.
160 Joseph Ellis.
161 Robert Harper.
162 Raford Staton.
163 William Croom.
164 Chester Nicholson.
165 Arnold Murphy.
166 Solomon Wooten.
167 Allen Davis.
168 James Taylor.

Q. This is signed by how many?—A. It was signed by one hundred at first, but after we came here they sent us sixty-eight names more. That was this colony there which was added to the hundred. Well, we organized as I said. We had a little colony there. I think it was in April, probably, and the day afterwards we agreed to make up the colony. They said if Peter C. Williams and myself would go West, either to Kansas or Southern Nebraska or Colorado—if we would go West that they would pay our expenses there and back.

Q. Who said that?—A. This was the resolution in the meeting of the colony in North Carolina. That was the understanding, that we were to go and look out a location, get a section of land if possible, and if we could get anybody to stand behind us and assist us—to advance the means to live until we could make a farm—we would go. And that is the money you hear so much talking about. They did give twenty-five cents apiece, some of them, and made up $54 in all; that is all we ever got to go to Kansas with. I have the names of all who paid the money. That was to be the colony; it had nothing to do with the wholesale exodus, although I do not say that I opposed the exodus, but so far as our little colony was concerned we did not represent all the people of North Carolina, only ourselves. We left on the 15th of September and came on and presented that petition to this society here, the National Emigrant Aid Society, as we understood it, and they told us they didn't have any money, and they couldn't do anything for us, and we staid here, I think, thirteen days.

Q. By "we" you mean yourself and Williams?—A. Yes, sir; myself

and Williams. We staid here about thirteen days, I think it was; and in the meantime we was waiting for money from home. We only left there with $28; I think that was what we both had to go to Kansas with. But the understanding was we was to come here and see if we could get from here, and while we were 'tending to that they would make up some money and send it on to us. But we failed to get aid here.

Q. They did not furnish you with any money to go on there?—A. No, sir; not any at all; they met and talked about it, but they never done anything.

Q. Well, you and Williams were on your way to Kansas?—A. Yes, sir; on our way to Kansas. We knew nothing of any other State.

Q. Did you get money finally from any one?—A. We got money from Mr. Galvin, treasurer of a church here.

Q. You mean to go West?—A. Yes, sir; to go away; the understanding was that we could get to Russell, in Kansas; that was the point we started to from here.

Q. What did you do after you got that money?—A. We went direct to Indianapolis from here. We had a letter of introduction to Dr. Elbert, a colored man there, a physician. I think we got there Sunday night. He carried us around to Elder Broiles, a colored man, and minister of the Second Baptist Church. We went there and staid probably eight days. The next morning I think Dr. Elbert or Elder Broiles—we went down to the Journal office and saw Mr. Martindale there, but did not have any talk with him.

Q. You didn't have any talk with Mr. Martindale?—A. No, sir. I saw, too, Mr. Cobb, I think, the commercial editor of the Journal. I think he was, and sent for Colonel Straight or told us that we would meet Colonel Straight at some time, as he was saying something about hunting up some hands and probably as he was a large landowner that he could settle the whole colony and furnish means to supply them. We went to see Colonel Straight; I don't know whether we went that day or not, and he said that he could not do much for us.

Q. Does Colonel Straight live in Indianapolis?—A. He has a lumber-yard near the railroad.

Q. And he said he could not do anything for you?—A. He could not do it; he could not take so heavy a responsibility, or something of that kind. We afterwards saw Colonel Holloway.

Q. Well, what did he say?—A. He could not do it, and we saw Colonel Dudley. In the meantime Williams had no money at all, and we wanted to go further west. After seeing Colonel Nixon and Dudley and Holloway, and we saw this man Mills that was here the other day, we went to Elder Broiles and asked him to let us have his church to lecture in and raise some money. He did, and we took in $4.10. Mills told us that he could not furnish us tickets at less than $32 to Topeka, Kansas. It took all we could get to go to Greencastle, Indiana.

Q. What did you go to Greencastle for?—A. We had a letter there to John H. Clay, the man who sent these circulars, so we went over there. No, we saw Mr. Langsdale and we had a letter to him too from Mr. Nixon; they called him Colonel Nixon; I do not know what else his name is. Then we saw this gentleman, Mr. Clay, and went up to his house, and they told us that they could find homes for the people there. They told us so in Indianapolis, too, and they told us it was no use going to Kansas and Colorado; they told us that in Indianapolis, but we thought it would not suit our people and we did not want to stop there, because these people that we represented wanted to farm and not to hire out, and we knew it, and we was still trying to get west. These

people in Indianapolis told us that we could find work and get good wages, but we did not know, and we understood when we left home that we did not think the people would be willing to put up with hiring out. At Greencastle Mr. Clay and Jones, Hawthorne, the leading men there, all told us that they came from the South and owned property and things looked splendidly, and they told us they were getting good wages, and they told us what pay they was getting; so we staid a night and part of a day talking with these men; then they gave us these circulars. Still we asked Mr. Clay if we could call a meeting and see if we could not raise money in his church; said he, "What for?" said I, "To go West," and he said that we could not raise any money. We was near about forced to return, and we came back. There is one fact I want to state that only forty of the names on that petition has given anything any way, because we did not decide what we was going to do; we did not think they would be satisfied, and in the meantime while we was in Indianapolis, after I came back from Greencastle, I heard that they was going to arrest or mob me when I got back to North Carolina. I have got three letters now telling me not to go back. I told them I was not harming anybody and was going back, and I went. After I got back there was a camp meeting and we gave out these circulars; I did not know whether the circulars were true or not. It stirred them up. After going back we never made speeches; there were no speeches made.

Q. Had you ever made any before in opposition to this colonization?—A. Yes, sir, we did. Williams and myself, wherever we were called upon, before we first came away, we made speeches. I know I did one occasion at the court-house in my county there. I simply reported the products and laws of the State—so far as looking out the laws of other States I had done; but we do think now when I was there all the time meeting the laboring classes—for I never shined around much among those big fellows, though I was around among them at all election times—now we think there, and justly so, that there is different laws on the statute-books from what was there before the war; they are more severe. We looked at them, and we think they were put there because of the colored people.

By Senator VANCE:

Q. What State are you talking about—North Carolina?—A. Yes; there is one or two laws there—this road law, I hear them talk of that—that caused quite a confusion both among white and colored Democrats and white and colored Republicans, and we all held a meeting and denounced that law. I read at least in one paper, published by a gentleman there, that all parties denounced it.

Q. What was there about that law, as you understood it, that oppressed the colored people?—A. Why, every man between the ages of eighteen and forty-five years has to work on the public roads. I think it is not less than ten days, and as many more—I think that is the way it reads—I have not seen it for some time—whenever the overseer calls on him. Well, it has had quite a bad effect on the colored people, to my knowledge; for instance, right after the crops are done—it is when the merchant don't furnish much to the man who mortgaged his crops, and they generally cut off supplies then—so the man had to knock about to get a living as well as he could. It is about that season of the year that the men are called on to work on the road. Sometimes a man has to work on the road eight or ten days, and he gets no pay and furnishes his own tools and everything; and in my section there mighty near all the people works on the roads—all the colored people.

himself; he is the man to say about that as whether advances
le. I do not know whether any other liens would come in ahead
r not. I have not read the act for some time. Anyhow that is
we took it—the landlord is the one to decide when his rent is
anything else. Another thing that caused unrest among the
people was that they cannot feel that their former masters will
cognize them as their equals; that is another thing. They cannot
p to a white man and demand their rights, especially from their
masters, and they think, and I do, if we was out in some Terri-
don't mean Indiana—I think it would be different when we can
and away from our old masters.

ave you ever heard complaints made in courts about that?—A.
sir; the courts, so far as a colored man is concerned, I know
e unjust and unfair in some parts of the State. I do not cover
State.

o far as you know, what is the complaint of the colored people as
courts?—A. Well, I know it does not take the same evidence to
a colored man—that is, as much of it—as to convict a white
because I have been on the jury there a number of times, and I
retty much the way the thing goes on. I was on the jury there
l in the United States courts, and I have been on a jury in our
court a number of times. Though I will say there is a class of
people, that is, I mean there are two grades, there are some col-
eople if he has got good white friends he will get along all right,
re are few of that kind. These higher classes, that is, not the
y there, it is not the general kind among the colored people.

re there any other reasons you can give why the colored people
satisfied?—A. Yes, another reason: Just after the war a good
Northern men stopped down there, and I knew of several who
o build up schools—Mr. Ames, for instance, right near where I
e had on his plantations two colored schools and two churches;
not his plantation; he rented it. He had a good many colored
and used to have little meetings for their advancement and so

that we have been a government so long and they just now began to talk about these benefactors.

Q. Was there anything in the papers saying that this is a white man's government, etc.?—A. Yes; I know another thing—taking away from the people the right to elect county officers, county commissioners, and justices of the peace. All that has been swept away from us under Democratic rule; that all has added to the dissatisfaction and unrest of our people, because in our county the magistrate there is a man that declares that "a nigger is no more a human being than a horse is a mule." I know that he advocated that in his paper; I have a copy of it down in my box at Goldsborough. He declares that as a general thing a nigger is not a human being.

Q. What paper is it?—A. The La Grange Vidette. It was published in 1875 or 1874, but it was soon suspended.

By the CHAIRMAN:

Q. You say it was soon suspended?—A. Yes, sir.

By Senator WINDOM:

Q. Well, he was the magistrate?—A. Yes; he was appointed magistrate; of course he could not be elected.

Q. Who appointed him?—A. The legislature. The colored people, when that man administered the law, and when he asserts that the negro is not a human being, of course can have no confidence in him.

Q. Are you positive that he has used that expression?—A. O, yes, sir; he don't deny it.

Q. Did you think that tends to produce confidence on the part of the negro race that they will be fairly treated by him?—A. O, no, sir.

Q. What other papers have used the expression that this is a white man's government; what about the Goldsborough paper?—A. I have seen a good many things in that paper of that kind—it has been so many years ago—it was about the time the civil rights bill was passed; I have not read the papers lately, and I have not seen it in The Messenger or other papers lately as plain as it used to be.

Q. What is the opinion of the colored people as to whether your people really ought to have the right to vote?—A. I used to talk a good deal with Democrats—with a number of leading Democrats—and they would tell me this is a white man's government, and white men ought to rule, and niggers ought not to have a vote.

Q. I wanted to know what the general feeling is on the subject among the class of colored people you associate with?—A. Well, that is what we think. Another thing: We know we used to have a good many colored officers down there; since, we have lost all that. We do not think it has been done fairly. Of course we have no idea that it was; there is some that have a different idea; but we do not believe it was done fair. And we think we used to have in these different States all these colored members we was to have in these different States and do not get them; all that we think is unfair, and we do not see how we can remedy it by staying there, and we think we ought to get away off in the Territories—away off in Colorado.

Q. What do you think the colored people believe will be their treatment when the Southern States are entirely controlled by the Democratic party—how do you look forward to that event?—A. I have heard some talk in a different way; I have hearn some say that they believe the amendments would be repealed and we would be reduced to a condition worse than that of slavery; I do not know. Of course we have

no confidence in the Democrats. We think if they were to get in power, we claim that the same feeling that was there before the war is there now—that is the way we look at it.

By the CHAIRMAN:

Q. How do you account for the fact that it does not express itself as it did then?—A. We think it has gradually taken hold of the people.

Q. You say these things in the minds of the colored people give them the desire to get away?—A. Yes; the feeling has been, we think, for sometime, though not much is said about it. The Liberia movement in 1876—then everybody was going to Liberia, and that was the time they gave us the schools, and that stopped the movement, but it created a great deal of unrest among the colored people. I was opposed to their going to Liberia, and on that account I had a good many disputes and talks about it; I told them I was opposed to going to any foreign country; I believed we had a right to stay in this country, and I said then let us go West, to Southern Nebraska; that is where I have been wanting to go to, and I expect to keep hanging on to that.

Q. You heard the testimony of the colored man from North Carolina here?—A. No, sir. I was not here yesterday.

Q. Well, tell us what else you did after you went to Indiana.—A. As I started to tell you I received letters that I would be arrested when I got back. I told them O, no. Of course the white people down there I used to have a right good time with them myself; they never treated me bad; I always had fair play. I happened to have right smart due of politics, and could hold up tolerably well among the laboring class of people there, and I didn't care about the balance of the niggers, those big niggers, so I was getting along.

Q. You spoke of your ex-master. Perry; you would go to your ex-master very quickly if you wanted him to do you a favor, would you not?—A. I would, for a favor, yes, that I would.

Q. Well, he would treat you as kindly as anybody in the world, wouldn't he, don't you think?—A. To a certain extent he would, me in the place of a servant and him a master, yes, he would treat me kindly.

Q. I don't want to talk of unpleasant things, but a man like you, you don't find social equality any more in Indiana than you did in North Carolina, do you?—A. No; and I do not advise them to go there.

Q. You never advised them to go there?—A. No, sir; I carried these circulars, but so far as making a speech, I told them what the men told me, but my knowledge of the State was too shallow to advise anybody to go there.

Q. Well, it is your deliberate opinion, taking all things into consideration—the matters you complain of in North Carolina—that it is not desirable for your race to go from North Carolina to Indiana, is that your opinion?—A. I will tell you what I wrote on the 15th of November; I wrote to the old gentleman Bergen that if I owned a lot in Indiana and one in hell, I would rent out the one in Indiana and live in hell before I would live there; that is the way I expressed it.

Q. You mean that you would seek a tenant for the one in Indiana and rent that, and live yourself in the other one?

Senator VANCE. Or go into a Republican country.

Q. (By the CHAIRMAN.) Are you a preacher?—A. No, sir.

Q. You are a good deal of a talker, though, ain't you?—A. O, I used to take a big hand in Southern politics.

Q. Well, you do it yet when you get a chance, don't you?—A. No; when I run this man O'Hara I went out of the business; I paid a man a

dollar to print me some circulars to say that I sold out all my interest in politics; O'Hara sickened me, and I quit the business.

Q. So you consider yourself on the retired list as a politician?—A. Yes, sir, I do. I have got a piece here taken from a newspaper (opening a memorandum book and passing it to the chairman.). It is from the New York Herald.

The CHAIRMAN (after examining). Well, they told you in that article to go West and grow up with the country, didn't they? I see it don't point out any particular place?—A. No, sir.

The CHAIRMAN. Well, the article is calculated to arrest your attention.

The WITNESS. We had been making calculations for a long time how much was raised in the West, and how many acres of land; that is, taking the government lands out on the prairies, and we done that all spring.

Q. Perry, do you know a man named MacMerrick?—A. Yes, sir.

Q. Where does he live now?—A. He went to Greencastle first and afterwards came to Shelbyville; at least I saw him there one night.

Q. I find him reported as saying this to a gentleman out there: "We were going to Kansas, but circulars were sent from Greencastle, Ind., saying that we could get good houses there, and our delegates, Perry and Williams, both of whom are teachers and preachers, came back to tell us that there were houses here for ten thousand colored people or more."—A. The circular says that. I told you, you got the circular; that is what it said. I do not vouch for the truth of it.

Q. They said that your people in Putnam County would furnish them with fifteen or twenty dollars a month, with a cow and calf, a garden, and wood to burn. The circulars that you circulated did state that, did they not?—A. Yes sir.

Q. Now, Mr. Perry, as you have such a terrific and brimstone opinion of Indiana, you must have formed some opinion as to whether these glowing and paradise reports in this circular were true or not; what do you think of them?—A. O, I think it is a little too much.

Q. You think it is a little too much?—A. Yes, sir; the colors were put on a little too heavy in that circular. I will tell you what my opinion of that is now. As to knowing whether all this work and prices could be furnished or not I am unable to say, but I think that as the report got out that it was a political thing, &c., and the Democrats were opposing, and it was reported that we was burning property and these houses, that it deterred the people and made them refuse to employ these emigrants.

Q. If you could get a house and a garden, a cow and a calf, and wood to burn, and $15 a month, you would rather live there than in the other country you spoke of a while ago, wouldn't you?—A. I did not tell you I believed we would get it.

Q. I know you did not believe a word of it, and that is what I am trying to get it.—A. I intended to go somewhere in the West myself, and I thought if these things are so, I may stop in Indiana myself, but afterwards hearing of this attack and everything, I said to myself, well, I would not live there for a hundred dollars a day, because I would not feel safe if all these these things be so. If comes to a party question, and two parties are fighting over the colored man, I would not be in the wrangle.

The CHAIRMAN. Well, that is a sensible remark. [To the witness.] *Perry, tell me* first time you were ever in Indiana.—A. The first time *was October.*

Q. This last October?—A. Yes, sir.

Q. How long did you remain there?—A. Eight or ten days; not over ten days.

Q. Then where did you go?—A. I said Indiana; I went to Indianapolis, and from there to Greencastle.

Q. I am not asking you about your movements in the State; you say you were in Indiana the forepart of October; after you had been eight or ten days in the State, where did you go?—A. I never went out of the State; I came back here.

Q. How long did you stay there before you came back here?—A. Not over ten days.

Q. And you came back to Washington?—A. Yes; I came back on the 17th of October.

Q. Did you stay here?—A. I went to Baltimore to see Mr. Cole.

Q. To see about the railroad?—A. Yes, sir.

Q. Did you go back to North Carolina?—A. Yes, sir.

Q. That is the time you were arrested?—A. Yes, sir.

Q. How long did you stay in North Carolina?—A. We stayed there—we left Baltimore on the 20th or 21st, and stayed in North Carolina till the 15th of November.

Q. Then you came back here?—A. Yes, sir.

Q. How long did you remain here?—A. I brought my family when I came here.

Q. That don't quite answer my question.—A. I have been out to Indiana two or three times.

Q. After coming back you brought your family, and left your family in Indiana?—A. Yes, sir.

Q. How long did you stay there then?—A. I think probably a week or two weeks.

Q. Is that the last time you were there?—A. No, sir; I was there two or three weeks ago. I took three or four trips to Indiana in all; five including last October.

Q. Yes, and each time you were there, how long did you stay? What was the shortest visit you made?—A. I think I went off one Monday and got back here on the next Sunday morning.

Q. That would leave you there three or four days?—A. Yes, sir.

Q. And it would make your longest stay eight or ten days?—A. Yes, sir.

Q. Was that your longest stay in Indiana?—A. Yes; not over ten days, I think.

Q. Well, now, Mr. Perry, tell us what prominent white men you got acquainted with there?—A. Mr. Holloway, Mr. Dudley, and Mr. Jordan.

Q. Mr. Holloway was postmaster, was he?—A. Yes, sir.

Q. And Mr. Dudley United States marshal?—A. Yes.

Q. And Mr. Jordan register in bankruptcy?—A. Yes; and I saw Colonel Straight; this man Mills that was to furnish all the clothing, he forgot to tell you that.

Q. You got acquainted with Mills?—A. Yes.

Q. Did you get acquainted with Colonel Straight—I believe he was a general, I think he is entitled to that rank, he is a Republican State senator from that county in the legislature?—A. I do not know about that; I never heard.

Q. Did you get acquainted with anybody in the Journal office?—A. Yes; with Mr. Martindale.

Q. Did you get acquainted with this handsome young gentleman

here? [Indicating Judge Martindale's son, who was present.]—A. I think I never saw him before.

Q. He looks something like his father, don't you think?—A. I should say, at least, he is small to compare with the judge.

Q. You got acquainted with Judge Martindale?—A. Yes, sir.

Q. And you found him a very pleasant, agreeable gentleman?—A. Well, Williams and me complained about it—he seemed a little dry, and we wasn't much pleased.

Q. Dry?—A. Yes. He told us to come down, but we never had any conversation with him, any more than he told us to come down that evening and see Mr. Cobb.

Q. Who is Mr. Cobb; the city editor of the paper?—A. Yes.

Q. Did you see Mr. Cobb?—A. Yes; I went up there.

Q. Did he write you up pretty nicely next morning?—A. I do not know as it was the next morning; he had a little piece in the paper.

Q. Rather friendly to the movement, wasn't he?—A. O, yes.

Q. Did you see Mr. John C. New, chairman of the State Republican committee?—A. Yes; I saw him once, probably in the post-office; he was going off to California, they said, on some banking or mining business.

Q. Did any of these prominent men tell you that you ought not to bring any negroes into Indiana?—A. No, sir; we asked them—of course we presented our petition; if we had met you and thought you had any money we would have presented it to you—telling them that we wanted help to settle in Kansas; they all told us they could not do it.

Q. Out in Kansas?—A. Yes; or Colorado, or some of the Territories—any place we would like.

Q. They said they couldn't give you any money for that purpose?—A. Yes.

Q. Were you in Indianapolis when that telegram came telling Mr. Tenney to get $620 or $625?—A. I sent the telegram here myself, or had Mr. Koontz to do it. I sent it through Mr. Koontz; by doing that it didn't cost me anything.

Q. You say you lectured in Indianapolis in the colored church?—A. I did.

Q. For the sake of getting money to go into Kansas?—A. Yes, sir.

Q. And you got $4.10?—A. Yes, sir.

Q. In about twenty-four hours, however, that telegram raised $620?—A. I do not know the money was raised.

Q. You knew that the fare of these people was paid?—A. I left that night.

Q. You know, Perry, just as well as you know that you and I are sitting at this table looking each other in the face, that that money was raised because of that telegram.

A. No; I didn't know one dollar was raised.

Q. Have you any doubt about it?—A. Mr. Koontz told me it was not. I left with the party that had tickets that night.

Q. Where did you go?—A. To Indianapolis.

Q. What did you find when you got there about the money that had been raised?—A. They said nothing to me about it. Mr. Tenny came out of a room—him and some leading colored men came out of the room——

Q. So you had Mr. Koontz to telegraph for $600, and you don't to this day know whether it was raised or not?—A. Mr. Koontz told me it was not.

Q. How?—A. Mr. Koontz said it was not. I asked him if he got it, and he said not.

Q. None of it?—I give you his words.

Q. We will send for Mr. Koontz.—A. He is the man. I do not know how they got off. I went that night.

Q. You went that night?—Yes, sir.

Q. And you knew you sent that telegram?—A. He sent it.

Q. I understand that, Perry; I will not misrepresent you at all; you need not be afraid of that. Were you there when this lot came pursuant to your telegram?—A. I think I was; I forget the number.

Q. Do you look me in the eye and tell me that you didn't talk to anybody about the $625, and how it was raised?—A. Yes, I do. I had no talk with anybody as to what was raised.

Q. Do you not know whether it was raised or whether it was not?—A. I do not, but before that time I told Mr. Bagley, chairman of a committee there, that sometimes these people came here to Washington, and had already overdone the churches, and concerts were gotten up, and it was quite a strain on the people here. Bagley had a relief committee or association there, I think they call it, and I asked him if he was going to get a pass for the people here who could not get away, and if he would send a telegram and deposit the money with Mr. Tenney. He said he didn't know he could send a telegram, but would if he could; so I sent it on these words of his, but whether it was raised and deposited or not I do not know. R. B. Bagley is the man from whom you can find out all about it, and Mr. Koontz.

Q. You had this dispatch sent through Mr. Koontz; how soon after you sent it did you go to Indianapolis?—A. That night; I was going with the party that went that night. There were two parties. I went with those who paid their own way.

Q. You had Mr. Koontz, you say, to send a dispatch to Tenney to see Bagley, and you did that because Bagley told you about his being at the head of the relief committee, and then that evening you went on yourself?—A. Yes, sir; and I was there when Mr. Tenney came out of the room. There was two parties of us, and I left the party that had no money, and they were the ones we telegraphed for.

Q. We understand that perfectly well, that you left a portion here that could not go on, and you sent a dispatch through Tenney to reach Bagley to provide for them, and you started right away after the dispatch, and got there by the time Tenney got the dispatch, and he showed you the dispatch, didn't he?—A. No, sir; he never showed it to me.

Q. How did you know he got it? You heard him speaking of getting it when you got there, did you not?—A. He was in the church; had just come out of the room.

Q. And you were there with Bagley?—A. I came in as they came out.

Q. And you met Mr. Tenney, and knew he had Koontz's dispatch; how did you ascertain it?—A. Yes; I knew he had the dispatch.

Q. And yet you tell this committee you didn't know whether that money was raised or not?—A. I didn't. Mr. Koontz and Mr. Bagley will tell you so.

Q. You never talked about it that evening?—A. When I got there they spoke to me about just getting a telegram, but as to telling me whether money was raised or not he didn't.

Q. Did he tell you whether he could raise it?—A. He only said to me, "I have just got your telegram."

Q. You had telegraphed to him to raise $625 for destitute emigrants here in Washington, and you got out there yourself as soon as your telegram, and you met him; now, you don't want to be understood that you and he didn't talk about that money, do you?—A. No money was mentioned; nothing was said further than just about receiving the telegram.

Q. Well, here were these poor emigrants at this end of the line without money. Now, didn't you ask him whether he could raise the money or not?—A. I do not know that I did. I did not interest myself about asking him.

Q. Well, didn't you care whether these poor fellows got any money or not?—A. I did care.

Q. But you did not care to ask him whether he could raise the money or not; you cared enough to have the telegram sent to raise the money, and when you met him you didn't care enough about the matter to ask him whether or not he could raise the money?—A. I do not know that I asked him that.

Q. Is not that a little singular when you sent the telegram for that very purpose?—A. I didn't know.

Q. You knew these men were at this end without means, and you sent the telegram?—A. But I do not think that I asked him about it.

Q. You, an emigrant agent, you who had mainly induced these people to come up from their North Carolina homes and had seen them landed here without means to go on, didn't interest yourself to ask about the means for getting them on?—A. I did not.

Q. Well, you sent these circulars out?—A. I sent the circulars, but I wrote them on the 15th of February not to come to Indiana.

Q. Is that the reason why you didn't ask Bagley whether the money could be raised?—A. I do not think that I did. He says to me, him or Elder Treveigne, three or four big men who were there together——

Q. Didn't you tell Thomas P. Mills when he was here, "You know how that money was raised; you keep dark"?—A. I says to Mr. Mills as I was walking up the street, "How are you?" And when I said, "I am going to make you tell about that money," he said, "Well, I will tell the truth," and I said, "so shall I." That was all that was said between me and Mills, but that money is the $27 which he says is only $25; that is the money Mr. Jordon spoke of giving to me.

Q. How many negroes did you leave down here after you started?—A. I do not know.

Q. As near as you can tell?—A. I could not say; I do not recollect; I do not know.

Q. Well, you were a pretty big nigger yourself in their estimation, were you not?—A. Well, I was right smart during the campaign, but it always came hard on me after the campaign was over. I did not believe these letters, because I knew I had not bothered anybody; but, of course, they claimed that I had demoralized the labor system down there. I did not care about that, so far as our colony was concerned. I was determined to settle them in the West if I could, in one of the Territories; so, when I went back there I asked an officer if he did not have a warrant against me—after being there, I think, twelve days—and he said yes.

Q. Well, were you arrested?—A. He told me to come around next morning—to come around to the trial. I told him all right. I came, and this same man that declared that the negro has got no soul, he was the man I was to be tried before.

By Senator VANCE:

Q. What was his name?—A. His name is Dr. P. W. Woolley. He was the man I was to be tried before; but I didn't take no notice of it. I did not think it amounted to anything; for I had no idea there was prejudice enough or malice against me to fasten anything wrong against me. I had a credential from the mayor of the town and the officers there. They knew my standing; it had never been questioned up till now.

Q. Well, what was done?—A. They had an indictment against me for assisting in forging papers, or something of that kind—aiding and abetting, I think, was the word. They called a witness on the stand, and one man swore very hard against me. He didn't swear that I altered any names or figures, or put in any names, still they required me to come there and give a bond. The church there was taking hold of the matter.

Q. The colored church you belong to?—A. Yes, sir; the Methodist church, and the Baptist church too, though I did not belong to that. The men who told me that they would never give their consent to settling this colony, and were opposed to it, came that day and put their money down, and told me if it had not been for that thing they never would have——

Q. Well, you say there was no evidence implicating you in any way?—A. Not a bit. There was no evidence, and I did not make any effort. That bond was given in April. They say that I have run away.

Q. Your bond was not forfeited till April?—A. No, sir. This man, Mr. Ducarte, who swore against me, swore that I run away.

Q. What bonds were you put under?—A. $100, I think.

Q. Well, you have had more connection with this movement from North Carolina than anybody else that you know of, have you?—A. Yes, sir.

Q. Do you know that there were any political motives connected with it, so far as going to Indiana was concerned?—A. Not that I know of. I was in Indiana, as I told you—Williams and myself. Williams was a minister, and never has anything to do with politics, and we talked about that between ourselves, that we was afraid there might be some political clap-trap in it, some kind of political trick or other, but we did not know. We simply got off and talked about it, and we wanted to go off further West; in fact, we had no confidence in anybody so far as that is concerned, and we thought it might be so.

Q. Well, have you co-operated in any political movement or had any money furnished to you for any political purpose whatever?—A. No, sir; not a cent for any political purpose at all.

Q. And you have told us now substantially all you recollect at present about that movement, about your getting it up, and why it was—the motives which induced it, and so on; if you think of anything else just give us the whole story?—A. Another thing I forgot about. Down South there is a set—at least we have them among us there—of broken-down politicians, men of no standing at all. I have noticed in several Republican papers even about being cheated out of the election there in the second Congressional district, but the man was so rotten that ran for the office that we had to lay him over. The Republicans I admit—I do not say the Democrats—done that; we never charged it on them. Of course I am a Republican, I would not be anything else, but I would vote for Kitchen a thousand times before I'd vote for any man like O'Hara, because he was a man that was a bigamist, had two wives, and was accused of being in jail in Halifax. So we laid him over, and the

intelligent Republicans was satisfied, and nobody complained, I suppose, of political violence there, not of late years anyhow. But in the Kuklux time of course there was violence.

Q. What was the feeling in the Kuklux time?—A. Why, it was intense, of course; that was rough; that is, the colored people was alarmed; they was scared.

Q. Is there any apprehension on their part now as to a return of that condition of things?—A. No, sir; I do not know that there is.

Q. Do they think the men have changed very much on these things?—A. No, sir; they think they are at it in another way. We think the idea is to get us poor, and keep us starved down from hand to mouth, just simply to get enough to subsist on. In fact, in our particular section there, there has been no violence that I know of, and that is lately; but in the Kuklux time there was a good many colored people killed; I know of several; but that was in 1870, I think; about 1870.

Q. Was that about the time when the State went into Democratic hands?—A. Yes, sir; I think that was the year that they read us fellows out; that was the year 1870. In 1868, that was the year Jim Harris got the bribe. James H. Harris—he is one of the men that in 1868 got the bribe; in 1870 the Democrats got control of the legislature; they did not get the governor until 1876, I believe. We had the State officers, but they had the legislature.

Q. If you think of anything else that will throw light on the subject you may give it to us?—A. I do not think of anything else now.

By the CHAIRMAN:

Q. Perry, how old are you?—A. Thirty years old on the 15th of last July.

Q. Well, you have been a pretty active enterprising young fellow in your time?—A. Yes, sir.

Q. You were a mere boy when the war closed?—A. Yes, sir; I was born in 1849.

Q. Did you belong to somebody before the war?—A. Yes, sir; I belonged to a man.

Q. He was a good man, was he?—A. Yes, sir.

Q. Who was he?—A. William G. Perry.

Q. Do you bear his name?—A. Yes, sir.

Q. Where is he now?—A. I do not know, sir; I have not hearn of him, I think, for five years. I left him in Chatham County, and I went down east. Everybody went down east to get rich in raising cotton. I think it was 125 miles. He was living up in Raleigh, and I lived down in Goldsborough.

Q. You did not better your condition by going down east, did you?—A. Yes, sir; I think we did. We had more money, but we had to spend more. We used to raise fruit in that country.

Q. Was your old master a planter?—A. Yes, sir; down in Chatham County.

Q. Are you a married man, Perry?—A. Yes, sir.

Q. Where is your family?—A. Here.

Q. Here with you?—A. Yes, sir.

Q. You say you commenced turning your attention to this matter in 1872?—A. Yes, sir. Uncle Bergen, old Hemer Bergen, used to be magistrate—he was an old colored man, and we elected him three or four times. He was always talking about going to Liberia or to the West. He was a married man and had several children. We got the circular of O. F. Davis, and that was the first time, in 1872 or 1874; that was *the first time* we heard about him, and that we could get free lands.

Q. How many of those emigrants did you leave here?—A. I found out, when the train started to go, that a good many of them had money to pay their way. The society had raised it.

Q. You telegraphed to them for $625 or $620?—A. Well, I do not recollect; I think he said $625. I don't recollect exactly what amount, but I think it was $600.

Q. How many negroes would that carry to Indiana?—A. I don't know, sir; but it is very easy to tell. Forty something, I reckon.

Q. Do you want to make any change in your answer, that you do not know anything of money being raised?—A. I say I do not recollect talking to him about the money; he said he had just got the telegram.

Q. Isn't this the truth, that when you got there the first thing you did was to inquire whether that dispatch got there?—A. I do not know that it is; I think the first thing he said when I met him was that the dispatch had just got there.

Q. Wasn't it a fact that you asked him that?—A. He said he had just got it.

Q. Didn't you wait there some little time, until Tinney came home?—A. No, sir; I got there that night, I think.

Q. Didn't Bagby tell you that Tinney didn't get the dispatch, but that Levi C. Morriss got it?—A. I believe there was something of that kind; but, gentlemen, I have got nothing to keep back. I recollect that Bigbee said that Morriss got the dispatch. That was a mistake I made a while ago, unintentionally. I recollect that Bigbee did tell me that Tinney was down in the country advertising a grand reception.

Q. You did not ask Bigbee if he could raise the money?—A. No, sir; I did not ask him anything about the money.

Q. You did not ask if anybody could raise the money? You knew the people were here, and could not go without it?—A. I did not know that, because the churches and things here had sent off a good many before.

Q. But you thought they were about worn out in their charity?—A. I thought they had done their share.

Q. Have you given all your reasons why you have changed your mind against people going to Indiana?—A. Well, sir, I began to think there was some mistake somewhere; and I did not think things had been told that were right; that the truth had not been told, or that other men had made a mistake. I first lost confidence in the truth of the circulars. I know I was out there once, and there came some women and said they could not suit the white people out there, and they wanted to come back home. There is a good deal of feeling among them in favor of getting back; among those there in Indianapolis.

Q. How long is it since you were there?—A. The 8th of January.

Q. There is a good deal of sickness and some deaths among them?—A. Yes, sir; some of the children died there in Indianapolis, but I don't know how many. One or two died that day or night. I went to the house, but I did not stay there long. There was one child dead right at the door; some children were sick, and I heard that one of the grown people was dying.

Q. You are a retired politician, but you are still in favor of your party?—A. Yes, sir; I want our party to stand up.

Q. You think it would be a good thing to have ten thousand of those people there?—A. If their financial and industrial condition could be made right, I would like to see ten thousand, or as many as are necessary, go in there and work a revolution in the politics of the State.

Q. You thought that when you were organizing this movement?—A. Yes, sir.

Q. Wasn't that a natural feeling of your kind of people out there in Indiana?—A. I cannot recollect a man out there who brought up the subject of politics in connection with it. We acted on our petition all the time. When we met a man we would talk to him about it; we always poked it at him. I said, the night I was lecturing in the colored church, that if I thought there was any politics in the thing I would take my hands out of it; and I was poked in the back by a colored man behind me who said I ought not to say that.

Q. You knew you were with the big men of the Republican party there in Indianapolis?—A. Yes, sir; but I do that, too, at home. But we were introduced out there to men who were said to be philanthropic, and would, probably, assist us.

Q. The day that Mr. Morriss made that little speculation with you and Williams, where did you get that money?—A. Mr. Jerden, Mr. Morriss, Williams, and myself were all together; but the money was all given to Williams and myself; and Morriss got into the buggy with Mills's instructions and went down there to the depot with us, and gave the money to his brother.

Q. Did you know they were making a speculation out of you by selling you these tickets?—A. Yes, sir; I found that out afterwards; but they sell tickets, and I had been in the office, and knew a man coming in there to buy tickets, and I thought we could get them there cheaper from them.

Q. They are scalpers, are they not?—A. Yes, sir; I guess so.

Q. Did you know they were good Republicans?—A. Yes, sir; I heard a good deal of politics in there.

Q. You say they passed the money around so fast you could hardly see it?—A. Yes, sir; I could hardly see where it went to.

Q. Whose money was it?—A. Jerden's.

Q. That was for the two tickets for you to come back on?—A. Yes, sir. Mr. Mills said, if he bought them at the depot it would be $18 apiece, and he would sell them for $13 each, and I thought that was a pretty big saving.

Q. What did you do to get that squad to Greencastle?—A. Yes, sir; I went with the first lot.

Q. Were you with the crowd when Langsdale walked them up the street?—A. He was at the head of it, and I think I was at his side.

Q. How long did you stay there?—A. Until Monday evening, I think. That was on Saturday.

Q. Who bought the tickets for them?—A. Mr. Reynolds bought the tickets. He is the mail agent at Indianapolis. I seen him handling mail bags in that little room there.

Q. What are you going to do in this business hereafter; are you going to keep on in it?—A. No, sir-ee, boby. I started some back, the other day; or, rather, changed them from Indiana.

Q. Well, now, about this little arrangement with the Baltimore and Ohio Road; did they treat you right in that?—A. No, sir; I don't think they treated anybody fairly. I never received a cent from them. When we came back here we went to see Mr. Cole, to see what rates we could get from Goldsborough to Indianapolis. He wrote to me he could put us there for fifteen dollars, and said he would pay us seventy-five cents on each passenger. He afterwards offered a dollar. He said he would allow us seventy-five cents for our services; but this man, Dukehart, came down there and saw me, and raised it to a dollar. I was the only

man he could see while he was down there. He gave me a pound of tobacco, and cigars were nowhere; I had plenty of them.

Q. He thought you were a fine man, then?—A. Yes, sir.

Q. He was to give you seventy-five cents, and, afterwards, a dollar, on each passenger?—A. Yes, sir. Me and Williams talked about it, and we would not agree to receive it. We decided that we would let the money be paid to the Emigration Aid Society, and to tell them to furnish tickets to our colored friends. Mr. Cole never paid me a dollar. I was here without any money and got thirty-one dollars and seventy-five cents from the treasurer of the aid society.

Q. You think the road ought to pay you something?—A. Yes, sir; but they don't do it.

Q. I think they ought, myself.—A. They don't do fair at all. Cole wrote me the other day that never owed me a cent, and that he never did.

Q. You have no confidence in them any more?—A. No, sir; not a bit.

Q. You say you have been sending some of them back home?—A. Yes, sir; I have told them to sell their tickets here and go somewhere else, and for God's sake not to go to Indiana. Some of them went back to Portsmouth, and some to Maryland, and some have gone to Pennsylvania. I told them I went into the thing honestly, and when I saw it was wrong I gave it up.

Q. You pointed out some things in the laws of North Carolina that they complain about; now, isn't it likely that in other States you would find laws that you would complain of just as much?—A. Yes, sir; but perhaps they would be administered or executed differently.

Q. Did your people complain of the execution of the laws when Governor Vance was governor?—A. I think they rather praised him, as he did so much better than we expected.

Q. You have schools down there—separate normal schools for your people?—A. Yes, sir.

Q. Is there any such thing as that in Indiana?—A. My knowledge of Indiana is small. I think I was told by a colored man there that the schools were all the same.

The CHAIRMAN. We have a large and magnificent normal school, the finest in the world; and it is in my town; and there is a portion of that school where people of your race can be educated. But there are so few of them in the State, except in the cities, that it is a very poor privilege to the colored race.

By Senator VANCE:

Q. Now, what do you think of the State that gives you a separate insane asylum? Is there any such thing in Indiana?—A. No, sir.

Q. Well, I only wanted to give you some additional reasons not to like Indiana.—A. You can't do that any more than I dislike itnow.

Q. I understood you, Perry, to say that the laws in relation to public roads, passed at the last session of the legislature, you understood, were to affect the colored people?—A. I said those laws, in connection with others, were complained of.

Q. Do you think they affect the negroes more than any others?—A. Yes, sir; that is, the way I construe it.

Q. What is that law?—A. That a man between eighteen and forty-five must work the roads ten days in every year, whenever the overseer calls on him. The complaint is made by both white and colored people.

Q. Do you think the desire to improve the public highways has a ten-

dency to hurt the colored people?—A. No, sir. The colored people, though, have little stock to travel on, and we think the roads ought to be worked by taxation, and men paid to work them. I know at our revival down there they took our preacher out of the pulpit and put him on the public works.

Q. Well, his business there was to learn people to mend their ways, wasn't it?—A. Yes, sir; but that busted up our revival.

Q. Your race don't own much of the land and the stock that travels the roads?—A. No, sir; and thereiore I say the roads ought to be worked by taxation.

Q. Your folks don't pay much tax, do they?—A. They pay a poll-tax, but have got nothing else to pay on.

Q. Well, the poll-tax goes to education, doesn't it?—A. Yes, sir.

Q. What is the matter with this landlord and tenant act? Where is there anything unrighteous in it?—A. The part of it where we think it is most severe is where it gives the landlord the right to be the court, sheriff, and jury, and say when the rents shall be paid.

Q. Does it say that?—A. Yes, sir.

Q. Well, when the landlord says my rent is not paid, supposing a tenant is dishonest—when he wants to cheat him—don't you think he ought to have a right to make him pay?—A. The reason we complain is that we can't turn any of it into money unless the rent is paid.

Q. You think that, by the act passed first, by the Republicans, he could move part of it?—A. Yes, sir.

Q. Now, you ought to be careful, Perry, when you swear to the law, because that is written down and can be proven?—A. Well, sir, the whites complained of this law the same as the colored people. It bears heavily on all the poor people.

Q. It does not bear heavily on the poor man when he is honest and wants to pay his rent.—A. It comes hard on him sometimes, when he wants to sell a part of his crop, to hire help, and buy meat, and get out the balance. And then they claim that it makes them sort of servants to the landlords.

Q. Any man who owes money to another man is a sort of servant any way, isn't he?—A. Yes, sir.

Q. You spoke of three wagons coming up to a man's house and taking away his crop?—A. Yes, sir; that was under the mortgage system.

Q. Well, the man had mortgaged the crop?—A. Yes, sir. That was year before last. There were short crops then, and merchants, I don't suppose, got all for their goods.

Q. If the merchants advance money and do not get their money out of the crop, the tenants get the best of them?—A. Yes, sir.

Q. And the merchant loses his money?—A. Yes, sir.

Q. What did you do when you went to Chatham county?—A. I was working on a farm.

Q. As a hireling or as a cropper?—A. As a hireling. I never cropped at all.

Q. How much did you get?—A. I got eleven and twelve dollars, and I eat at the white folks' house. I worked with Mr. Sutton. They paid me more than anybody else, because I weighed up the cotton, and all that.

Q. Then you were not oppressed very badly?—A. No, sir; I said awhile ago I could stay there and do pretty well.

Q. You said there was a desire among the colored people to get away from the old master class. Now, I ask you to tell this committee if

the old master class are not better friends to the colored people than the men who never did own them?—A. That may be in some cases.

Q. Won't they universally do more for them than the people who never owned them?—A. They will as servants. I went to my old master, William S. Perry, and worked with him up there in 1875, and he talked of putting a stick on me. I thought that I was a citizen, and that was going too far; but you know I could not go back and talk to him like any other man.

Q. May be he did not have much opinion of you as a man when he owned you?—A. Well, sir, he let his folks do pretty much as they pleased. He was a sort of Quaker, you know.

Q. These changes in the constitution which give the election of magistrates to the legislature, instead of the people—you know the cause of these changes; now state them.—A. I know that they claimed that the negroes were not fit to elect magistrates for themselves.

Q. Don't you know that they had some down there who could not read and write?—A. I do not know of one.

Q. Do you know Blunt, at Kinston?—A. Yes.

Q. Don't you know he could not read and write?—A. Yes, sir; but I think it is the people to blame who do that.

Q. Don't you know also there was universal complaint among the Democrats in most of those counties where they had a large Republican majority that the county finances were taken away and county taxes were not collected, and when collected were used up?—A. Yes, sir; I know that was a Democratic complaint, but I know in our county there was money out at interest with a Republican government. That was charged during the campaign, and that claim was the cause of the change.

Q. The Democrats claimed it was to protect the county against corrupt county governments?—A. Yes, sir; that was the claim.

Q. You spoke of wanting to go to Kansas?—A. Yes, sir; I wanted to take up a section of land there.

Q. Do you know the constitution of Kansas has the word "white" in it with reference to suffrage?—A. No, sir; I do not know that.

Q. I thought you said you were looking up the laws of the several States?—A. No, sir; I do not know them. I said of our State. I do not know of any more laws than the Revised Statutes.

Q. You spoke of a man named Colgrove, who was killed?—A. Yes, sir; he was a sheriff there. We claim that he was killed because he was a Northern man.

Q. Don't you know that he was charged with encouraging house-burning, and all that?—A. Yes, sir.

Q. That was in 1870, and that was the general understanding; that was the time the Nethercotes were killed?—A. Yes, sir.

Q. Was not Colgrove a convict from the New York penitentiary?—A. Yes, sir; the Democrats claim that was true.

Q. It was proven on him by the records, wasn't it?—A. Yes, sir; I believe it was. I heard of it, but I know men there who are bad men who hold office.

Q. Did you tell the correspondent of the New York Times that Rouse and Edwards and another man offered him a thousand dollars for your head?—A. No, sir; when I came back there were several colored men who came to me and said I had better look out, that I was in danger, and they were going to get away with me, and that they had offered a thousand dollars for my head.

Q. Why, you *would not have brought* that in old times. You are

rather undersized, ain't you?—A. I do not know, sir. I said that heard, for it was reported to me. I reckon there are numbers of m who told me that if I walked around there I would be killed.

Q. Did anybody offer you any violence?—A. Not that I saw.

Q. What were they against you for?—A. For this exodus; th thought I was carrying on the exodus. I had made speeches there a told the colored people of the government lands and those on the K sas Pacific, and how they could get homesteads.

Q. What did you tell them that wages were?—A. I think $2.5 day and $20 a month. I wish I had those papers with me, and I wo show them to you.

Q. You didn't tell them they could get that in Indiana?—A. No, s I had no idea of us going there at that time.

Q. This statement in the circulars is that "the fifteenth amendm will be repealed, and all the colored people found south of the Ohio the 1st of May will be put back into slavery." You knew that wa lie?—A. I did not know; I laid that on the table to think over.

Q. Now, Perry, you knew that was a lie, didn't you? Heave her now.—A. To be honest about it, I did not know what Mr. Clay mea I wasn't there when he composed the circular. I think if the majo of the people in the South, of the white people, not all of them—but I lieve if they had their way they would repeal it.

Q. The statement in the circular was that it would be repealed. Did you know that was not so?—A. I cannot answer that; I do not kn

Q. You do not know it to be the truth?—A. Of course I do not kn what Clay says, and that is the truth. I cannot say that I know wl Clay meant by that.

Q. You won't say you knew it was a lie. Do you know it was truth?—A. I know that were not so.

Q. And yet you handed around this circular to those ignorant peo in your place?—A. I carried them there at the request of Clay.

Q. And every fellow that was induced to travel off on that you go dollar for?—A. It was not paid to me.

Q. You got a quarter of a dollar from all the men who signed this tition?—A. Yes, sir; and they were to give me $250 and only paid $54.

Q. I see the names are all signed in one handwriting?—A. Yes, s that was by the secretary of the society. And nobody was sworn th We threw the doors open right there by the roadside, and there w no sentinels.

Q. You say you wanted your race to enter upon a new plane of hig Christian civilization. Was that the way to get on that plane?—A do not vouch for all that is in that circular, Senator.

Q. But you handed them out?—A. Yes, sir.

Q. And you do not believe them?—A. Well, sir, I see men aro here handing out Colonel Ingersoll's lectures, and I do not believe th

Q. You believe in a hell, don't you?—A. Yes, sir.

Q. I am glad to hear that. Now, in reference to your trial, you you gave bond?—A. The church gave it; they deposited the mon Mr. Dickerson and Mr. Morton got it up.

Q. What was the paper you were said to have forged?—A. A sch order.

Q. An order for school money?—A. Yes, sir.

Q. How much?—A. $54.

Q. What did the forgery consist in; in making it too big?—A. *sir; that* was it.

Q. But that order there was written by Aaron Perry.—A. I used to write them for a good many people myself. I have written them out for white ladies and others.

Q. This paper was in your handwriting?—A. No, sir; there were white men there who swore it.

Q. What proof was there; or didn't you hear any?—A. No, sir.

Q. Did you have counsel?—A. Yes, sir; Mr. W. S. O. B. Robinson, of Goldsborough.

Q. He let you go on to trial without any testimony against you?—A. How could he help himself?

Q. Who presented that paper for the money?—A. I do not know, sir. All I know was what I heard there at the trial.

Q. The committee swore they never signed it?—A. No, sir.

Q. And it was for signing the names as well as making it too big that you were prosecuted?—A. Yes, sir.

Q. Who was trying to make the money out of it?—A. It was Aaron Perry. They had done arrested him and turned him loose on straw bail, and waited to arrest me.

Q. And you say you was tried by a man who said a nigger was no better than a beast?—A. Yes, sir. He is an honorable man in most ways, and I like him, but he said that.

(The witness here produced a paper which he presented to the committee with the remark, "That was sent me by a justice of the peace.")

Q. (By Senator VANCE.) Do you own any property down there?—A. No, sir; only what the railroad has got. They say they have got it.

Q. Do you own any land?—A. Yes, sir; I own an acre.

Q. Whereabouts?—A. In the town of La Grange; part of it is in the town, and part out.

Q. Have you sold it?—A. I gave it away. I could not hardly say I sold it.

Q. Whom did you give it to?—A. I got $60 in money and traded out the balance; to Henry Dillon.

Q. Why didn't you wait and hold on to it?—A. I had mortgaged it the year before for something to live on; the mortgage was due in a few days.

Q. How much did you mortgage it for?—A. $28 or $30.

Q. And you couldn't raise that much money?—A. No, sir; I do not think I could. I had nobody to borrow from, and everybody else wanted their money.

Q. Did you make any speeches to the people of La Grange on the exodus?—A. Last summer some of them wanted some of us to make a speech to them, and I probably said about twenty words on that subject. I said that I was going to Kansas; and then they met at every fortnight at the school-house to consider it.

Q. Did you have any sentinels?—A. No, sir; not while I was there. If they had while I was gone, it was contrary to the rules.

Q. Did you have any secrets?—A. No, sir; not then.

Q. When did you have any?—A. They had some people over at Wooten's and some meetings over there. I think a man told me they found it necessary to hold these meetings secret.

Q. Why was it necessary to hold them secret?—A. They said these white people being opposed to our leaving, they could not sell anything they had to advantage unless they kept the movement secret.

Q. They didn't want to leave without selling their goods?—A. No, sir; but they were told just to sell them as though they were going over to the next county.

Q. Was that the only reason why it was necessary to be secret?—A. Yes, sir.

Q. Was there any violence offered toward any of them?—A. No, sir; not that I ever heard of.

Q. The poor class of white people down there were willing for you to go?—A. Yes, sir. I have several white men's names, who said if I saw places for them to write to them and they would come.

Senator WINDOM (referring to the paper just previously presented by the witness). How came you to get this paper?—A. I say that Mr. Dukehart swore and Mr. O'Hara, a carpet-bag nigger from New York, both swore about me, and I wrote to those gentlemen, the justice of the peace, who was present at the trial, to send me a statement whether he thought it was a fair trial, and he sent me this.

Q. (By Senator WINDOM.) Read it.

The WITNESS (reading):

We, the undersigned, citizens of Moseley Hall Township, were present at the bogus trial of Samuel L. Perry, at La Grange, in November last, and do certify that there was no evidence against him at all. We have known him for several years, and believe him to be an honest colored man, and innocent of making out school orders and signing them for Aaron Perry, as charged against him. We further believe the charges were more against him on account of the exodus movement than on account of school orders that was claimed to be signed by him.

BARNA DAWSON.
PATRICK JOYNER.
CISERO WOOTEN.
RABUN HARPER.
JOHN WOOTEN.
HOMER BORDEN.
ISAAC DANAL.
RUFUS PARRY.
PETER DAWSON.
RIGHT RAWS.
SAM PARISH.
REUBEN ATMORE.

I certify the above names are correct.

R. W. MOORE, *J. P.*

We could have got all the names you wanted if you had sent in time.

Q. Are any of these people who signed that paper white people, or are they all colored men?—A. The justice of the peace is a white man, elected by the legislature. He is a man who was summoned to swear to my handwrite, and could not do it.

Q. What is this other paper?

The WITNESS (reading):

LA GRANGE, NORTH CAROLINA,
September 20, 1879.

This is to certify that the undersigned have known Samuel L. Perry for several years and recommend him to be trusty and reliable. He has been teaching school here several years, and at the same time an acknowledged leader of his race.

JAMES C. CARTER.
A. J. McINTIRE, *Mayor.*
B. F. ALDRICH.
S. D. POPE, *P. M.*
JOHN W. SUTTON.

Q. Is the mayor a white man?—A. Yes, sir. That little town is Democratic; and you know he is.

Q. Are they all white men who signed that?—A. Yes, sir, all of them. Mr. Sutton has been constable.

Q. What is the opinion of your people as to whether the fifteenth amendment, in case the Democratic party comes into power in the State and nation, will be executed faithfully or not?—A. I stated to Senator

Vance that a majority of the white people would be in favor of striking it down if they could.

Q. From what you hear of the state of things in Mississippi and Louisiana, what do you think about it there? Do you think the colored people have their rights guaranteed by it?—A. No, sir; I do not.

Q. What is the understanding of your people about this fifteenth amendment, whether their rights are abridged in the Democratic States?—A. They think they are.

Q. Do you know about how many colored voters there are in the United States?—A. I do not recollect right now.

Q. You know there is a very large number?—A. Yes, sir; especially in the Southern States.

Q. Don't you know in some of the States they are in a majority, and in some of the Congressional districts?—A. Yes, sir.

Q. But since the Democrats came into power they have ceased to be represented?—A. Yes, sir.

Q. How many of your people have ceased to vote?—A. A good many of them. We know that we are cheated out of our representatives in the South.

Q. Isn't it the general opinion of your race that the fifteenth amendment is substantially abrogated in those States? Isn't that their state of mind? And don't you think they would vote if they could?—A. I do not know, sir. I could not say as to that.

Q. Are they not generally inclined to vote?—A. Yes, sir; but a great many of them don't vote, because they do not expect any success. We have elected men time and again and could not get them.

Q. Why, were you cheated out of them?—A. Yes, sir. We should have up here thirty-five members who were put in here after the war on account of the colored people.

Q. If by tissue ballots and all that, that amendment is abrogated substantially, is not that just as bad for the colored people as if it were repealed?—A. Yes, sir.

Q. And it makes no difference to them whether it is repealed or virtually abrogated?—A. Yes, sir; they look at it that way. We don't expect anything more from it. Electors don't amount to anything with those people down there, and I have often said that if I wanted to get elected I would conciliate the canvassing board of the Democrats.

Q. I understand you to say that your old master class treated your people very well as servants but not as citizens?—A. Yes, sir.

Q. And it is your relation as citizens that you complain of?—A. Yes, sir.

Q. And that is the general opinion of your race?—A. Yes, sir.

Q. Do you know anything about the school facilities of North Carolina—what you had before the war?—A. No, sir; I don't.

Q. Do you know what you have got now?—A. No, sir; I don't know. I know that since the legislature passed that tax of ten dollars upon each merchant it has run up pretty high.

Q. You saw the statement in the paper about it; what was it before the war?—A. I think it was $2,000,000.

Q. And it was reduced down by Democratic rule to $100,000?—A. No, sir; I do not know anything about that.

On motion the committee adjourned to Monday, February 9, 1880, at 10 o'clock a. m.

TWELFTH DAY.

WASHINGTON, *Monday, February*

The committee met pursuant to adjournment; present, the chair and all the members. The taking of testimony was resumed as lows:

TESTIMONY OF WILEY LOWEREY.

WILEY LOWEREY, colored, sworn and examined.

By Senator VANCE:

Q. Where do you live?—A. In Kinston, Lenoir County, North C lina.

Q. What is your business at home?—A. Well, sir, I run drays o street, and I have been drayer there for two or three years. I store besides.

Q. In the town of Kinston?—A. Yes, sir.

Q. Have you held any public office in the county?—A. I have county commissioner.

Q. How long?—A. About eight years.

Q. Are you county commissioner now?—A. No, sir.

Q. But for eight years you were?—A. Yes, sir.

Q. Do you know any of the colored people who have left that co in this exodus movement?—A. There has not been many left from town, but there has been some from the country. I was up at the pot and saw some of them going off, but I do not know them pe ally.

Q. Do you know the cause which makes them leave?—A. I t that this man Perry was the gentleman who was stirring them u think he is pretty much the cause of it.

Q. Did he make any speeches in Kinston?—A. Yes, sir.

Q. Did you hear him?—A. No, sir; I never went to hear him.

Q. Was it reported to you what he said?—A. I heard it g around the street; but I paid no attention, and didn't think n of it.

Q. You don't know what inducements Perry held out to them? I was told that he told them if they could sell their things and g Goldsborough they would have free transportation.

Q. From Goldsborough on?—A. Yes, sir; and a great many of went up there, and were there some time. But I don't know how managed to get away.

Q. What wages did he tell them they would get?—A. From a d to a dollar and a quarter a day.

Q. Did you ever see any of the circulars that he put out?—A. sir, not in Kinston; but I heard of them all around.

Q. Was there anything like a society organized by these exodus ple?—A. I heard that they were holding a meeting about it, but I went to one of them.

Q. Was there anything to pay to get into it?—A. I think there twenty-five cents a head.

Q. That was to join the society?—A. Yes, sir.

Q. Do you know whether it was secret or not?—A. It was sec suppose.

Q. Did any of these people leave your section by reason of not *allowed* to vote freely?—A. No, sir.

Q. Or because they were persecuted by the white people in any way?—A. No, sir.

Q. Or not justly treated in the courts, when they were tried for anything?—A. No, sir; I think not. I think they left because these agents held out the positions that they could get higher wages; and I think most of them have left on that account.

Q. And that is all that you heard about it?—A. Yes, sir.

Q. Did you hear anything of the fifteenth amendment being repealed and the black people being put back into slavery?—A. No, sir. It has also been stated that they left because their wages was not sufficient for them to live upon.

Q. State what the usual wages are that are paid down there?—A. From eight to ten dollars a month.

Q. What does that include besides his pay? Is the man boarded?—A. Yes, sir; that means eight and ten dollars a month and his board.

Q. I am speaking now of farm laborers.—A. Yes, sir; that is it.

Q. Does he have a house to live in?—A. Yes, sir.

Q. His firewood and patch?—A. Yes, sir.

Q. All that he wants to attend to?—A. Yes, sir.

Q. Eight and ten dollars is given to a good hand?—A. Yes, sir.

Q. What are women and inferior hands worth?—A. Five to six dollars.

Q. What time does the hiring generally last; how many months on the plantation and at what rate?—A. Well, sir, when we are coming to picking-out time the hands don't like to work for wages, as they make more picking out cotton.

Q. How much do they make?—A. Women can make a dollar a day, and men can make as much. They can make more on the average picking out cotton than they can by working out by the month.

Q. When does the cotton-picking season begin?—A. I think the last of September.

Q. What kind of prices does skilled labor bring, such as brick-masons, carpenters, and blacksmiths?—A. From one and a half to two and a half a day.

Q. Is there any preference shown to one kind of workmen over others?—A. I generally see them working on the same building, and have seen it many times.

Q. If a white man has hands to hire, which has the preference, the white or the black?—A. The white has the preference sometimes in wages.

Q. Which does he prefer to have?—A. I believe the colored men.

Q. He would not turn one off on account of his color?—A. No, sir.

Q. You mean that a white carpenter, then, would get better wages than a black one?—A. Yes, sir.

Q. That is not so in the case of field hands?—A. No, sir.

Q. Then the black people get better wages and have the preference there?—A. Yes, sir.

Q. As county commissioner, it was your business to help draw the juries?—A. Yes, sir.

Q. And the colored people got a fair showing in that?—A. Yes, sir; they always got their fair proportion.

Q. Some of the witnesses say that many times, in some counties, they did not get their fair proportion.—A. There was no difference in our county. The tickets were put in one box and drawn by a small boy and put over in another one.

Q. In putting the names into the first box, the law prescribed a cer-

tain character as to education, intelligence, and so on, for a juror?—A. Yes, sir.

Q. And in drawing the juries, you found more qualified white than black men?—A. Yes, sir.

Q. And when you found a colored man qualified, there was no discrimination against him?—A. No, sir; not when I was there.

Q. And you were county commissioner eight years?—A. Yes, sir.

Q. The mode of appointing them has been changed now, and they are selected by the legislature?—A. Yes, sir.

Q. Before they were elected by the people?—A. Yes, sir; and it is different from what it used to be.

Q. It has been pretended here that the judges don't act fair, and that a colored man is convicted quicker than a white man. Do you know anything about that?—A. No, sir; I don't know of anything of the kind. There are some people who, if they don't come out all right, will clamor anyhow, but I know of nothing of that sort, and I have been about the court-house most of the time.

Q. Do you know that more white men get off than colored?—A. Well, the colored men have more business in court than white men.

Q. Suppose you would put six white men and six colored men on trial for larceny, would the white men get off better than the colored men?—A. Well, sir, I have seen that in some cases.

Q. Is it because the white man has money to pay a lawyer, and is a little sharper in hiding his rascality?—A. Yes, sir; I think so; for you know the lawyer works for money.

Q. And the colored men are not able to cover up their rascality?—A. es, sir; and generally they have no lawyers.

Q. Doesn't the court assign counsel to them?—A. No, sir; I think there has not been much of it done of late.

Q. I want to ask you something about the education of the colored people—about their children. What chances have they in your county to educate them?—A. I think we have good schools going on, and had them all the time.

Q. As good as the whites?—A. I reckon they are.

Q. And as many of them?—A. We have a great deal more in our schools.

Q. You have more schools than the whites?—A. Not more schools, but more children in them. We have a good school that runs five or six months in the year.

Q. That is a free school?—A. Yes, sir.

Q. What are the chances for the higher education of your children? Are there any colleges for colored people in reach of your town?—A. None in our county.

Q. I mean in your end of the State. Are there any schools for the education of teachers?—A. Yes, sir.

Q. And a very fine school in Greensborough, where the colored people are educated in the higher branches free?—A. Yes, sir.

Q. What is the state of feeling in that section between the whites and the blacks?—A. I think it is very friendly.

Q. You have no disturbances on public days, such as election days?—A. No, sir; I believe everybody votes to suit himself.

Q. What are your politics?—A. I am a Republican.

Q. Do you vote that ticket every time?—A. Yes, sir.

Q. Were you formerly a slave?—A. No, sir.

Q. You were a freeman before the war?—A. Yes, sir.

Q. Do you own property?—A. Yes, sir.

Q. How much, and what does it consist of?—A. Town property principally.

Q. Real estate?—A. Yes, sir.

Q. Have you made it since the war?—A. Yes, sir; most of it.

Q. Did you ever serve on juries?—A. Yes, sir.

Q. Were you ever a judge of election?—A. No, sir,

Q. Do you own a house and lot?—A. Yes, sir; I own a right smart of houses. My renters pay me between four and five hundred dollars a year.

Q. Then you are in favor of the landlord and tenant act? You don't think a fellow ought to be allowed to move his crops off the premises until he pays his rent?—A. No, sir; I don't. But there are some little restrictions that are pretty hard.

By SENATOR BLAIR:

Q. How far is Lenoir County from Warren?—A. I think 180 miles.

Q. How long was it after you left there before you moved to the one where you now are?—A. I was raised there.

Q. You always lived there until you came to Lenoir?—A. Yes, sir.

Q. And you were always free?—A. Yes, sir.

Q. Always free?—A. Yes, sir.

Q. What is your age now?—A. I am forty-seven years old.

Q. Were you always free?—A. Yes, sir.

Q. You were born free?—A. Yes, sir.

Q. Were your parents ever slaves?—A. No, sir; they never was. My old grandfather was a hundred and five years old when he died, and was always free.

Q. Neither you or any of your ancestors were ever slaves in this country?—A. No, sir.

Q. What were your opportunities for education before the war?—A. I do not know, sir. Before the war I didn't know much; but the free colored people had a school going on in Raleigh.

Q. You said you were a county commissioner; where did you find such an education such as you found necessary in that position?—A. I just picked it up. I never went to school a day in my life.

Q. You found time to study and pick up a little arithmetic?—A. Yes, sir; I can read and write.

Q. What have been your duties as county commissioner?—A. Just what the others on the board had to do.

Q. What are the duties of the county commissioners?—A. Attending to the poor-house, appointing jurors, and looking after the roads and bridges.

Q. Did they have anything to do with the taxes?—A. Yes, sir.

Q. The valuation of property, and the assessment of taxes?—A. Yes, sir.

Q. Who collected the taxes?—A. The sheriff.

Q. Who appointed the sheriff?—A. He was elected by the people.

Q. You spoke of a change in the mode of appointing county commissioners. Since that change was made have you been a commissioner?—A. No, sir.

Q. Have there been any colored commissioners since?—A. No, sir.

Q. How many commissioners are there in your county board?—A. There are five and they are all white.

Q. How was it before this change?—A. Generally there were about two colored and three white commissioners.

Q. Is that a Republican county?—A. Yes, sir.

Q. What are the politics of the county commissioners now?—A. They are all Democrats.

Q. How does that happen?—A. By this change in the law.

Q. Do you imagine that change in the law was made to secure Democratic county commissioners in Republican counties?—A. Yes, sir; I think so.

Q. Do your people so understand it?—A. Yes, sir.

Q. Have you no Republican officials in that county?—A. The sheriff is a Republican and so is the register.

Q. How about your judges—those who try causes?—A. Of the inferior courts, do you mean?

Q. Take the judges of the higher courts first, for instance?—A. They are elected.

Q. Elected by the people?—A. Yes, sir.

Q. What is the highest court in the State?—A. The supreme court.

Q. Is that the one you refer to?—A. Yes, sir.

Q. Then you have judges of the inferior courts, also?—A. Yes, sir.

Q. Have you a county court?—A. Yes, sir.

Q. What class of cases do they have jurisdiction over—criminal cases?—A. No, sir, I think not.

Q. I mean do they try men for larceny, and all that?—A. Yes, sir.

Q. That is what I mean?—A. Yes, sir.

Q. Are those county judges elected or appointed?—A. They are appointed.

Q. How was it before this change in the constitution—were they appointed, or chosen by the people?—A. They were elected.

Q. All the judges were then elected?—A. Yes, sir.

Q. Before the change the judges of the higher courts had jurisdiction in all cases?—A. Yes, sir.

Q. And by this change jurisdiction in these smaller crimes is given to the county interior courts?—A. Yes, sir.

Q. And who are those judges?—A. They are Democrats.

Q. You say all these county judges are Democrats?—A. Yes, sir.

Q. And the county commissioners, also?—A. Yes, sir.

Q. So the new constitution has resulted in thus changing the political control of these Republican counties?—A. Yes, sir.

Q. And you understand that was a part of the design in changing the constitution?—A. I think it was, sir.

Q. Mr. Lowery, you have perhaps not visited any of our Northern States?—A. No, sir.

Q. And you do not know the chances the colored man has there for acquiring an education and exercising all his civil and political rights?—A. No, sir.

Q. Then you do not know that it is not an advantage to your people to go North?—A. No, sir; I do not.

Q. You say you do not know of but very few who have left your county?—A. No, sir; most of those who left there were from back in the country.

Q. You live in town?—A. Yes, sir.

Q. Is it in a thickly-settled town?—A. Yes, sir; it is the county seat.

Q. Do you know how the colored people are situated out in the country? Take the matter of public schools—I think it has been said that the country people do not have as much chance as those in town to send their children to school?—A. I think we have very good schools all over *the county*. I have seen teachers who were teaching out there.

o you know how long the schools are kept open in the country?
our months, I believe. In town we have them longer. I think
our town run ten months. Out in the country I think they run
d five months.
he length of time depends, I suppose, upon the amount of prop-
support them?—A. Yes, sir; and the number of children.
low many colored men do you know to have left your county?—
as up at the depot one day and I saw a good many getting off;
on't think they were all from our county.
o you think there are twenty-five who have gone?—A. I don't
nany over twenty-five.
bout how many did you see getting on the train that day?—A.
not say. I think right smart of them were from Pitt County.
the wagons were bringing them in from there. I just went up
o the depot and I saw them getting off.
ou mean getting on the train?—A. Yes, sir.
nd "getting off" from the country to Indiana, or elsewhere?—
, sir.
our county seems to be a Republican county?—A. Yes, sir.
s a majority of the population colored?—A. I think it is.
low is the colored population divided politically?—A. I believe
e pretty much altogether there.
ou mean all Republicans?—A. Yes, sir.
s there one colored man out of fifty who is a Democrat?—A.

s there one out of a hundred?—A. I suppose you might get that
suppose they all vote for Governor Vance, however?—A. No,
t there is a great many of them that always like him. While
ny of them vote for him, yet, as a man, they like him pretty

ou speak in your testimony here of the condition of the colored
in your county principally?—A. Yes, sir.
ou do not claim to know it so well as to the State generally?—
sir.
it or is it not your understanding that in some parts of the
he colored people have been subjected to hardships and cruel-
d have some causes of complaint?—A. I do not know, really. I
hear much complaint of them being oppressed. Some time back
as talk of it; but for the last seven or eight years I haven't
ny of it.
t you all still stick to the Republican party?—A. Yes, sir.
rom what part of the State is this exodus most numerous?—A.
from our county, and from Pitt and Wayne and Greene.
o those counties all lie together?—A. Yes, sir.
ave many of these people come back who went North?—A. I
ard talk of several coming back, and a great many writing that
nt to come back.
ave you seen any of the letters?—A. I have; but I have not had
self.
ave you known of any political characters, or of any men who,
s you know, had political reasons for it, going through your
stir up this emigration to the North? Do you know anything
ing a Republican movement?—A. No, sir; I think the men who
id it for their own benefit. I never heard anything about it until
of Perry *going around stirring them up.*

Q. Perry, you said, was from your county?—A. Yes, sir; but not from my town.

Q. You think it was a business enterprise?—A. Yes, sir.

Q. And some men thought they could make money out of it?—A. Yes, sir.

By Senator VANCE:

Q. Do you know Louis Williams?—A. I do not know of him.

Q. He was one of the colored men who left there.—A. Those who left there were mostly from back in the country, and I did not know them. There were none who left the town, or from around the edges of it.

Q. Do you know Perry?—A. Yes, sir.

Q. How does he stand there with the better class of your colored people?—A. I don't think he stands so well.

Q. The suspicion is among them that he was trying to make money out of this thing?—A. Yes, sir.

Q. Do you know of any colored man who had labored and made money for himself who went off in this exodus?—A. I heard talk of one leaving; but he never sold his land. I reckon he just went to look and see for himself, and come back. We have in our county jail now two fellows who were going through the county selling tickets for the exodus.

Q. What kind of tickets?—A. Tickets to Indiana.

Q. What right did they have to sell tickets to Indiana?—A. None at all. They went out into the back country and got in with an old man out there. They asked him if he wanted to go, and he said, "Yes"; and they sold him tickets to take him and his whole family to Indiana for a dollar apiece; but he found out that the tickets were not good, and he came to town and got a warrant and had them arrested.

Q. They have taken a homestead in jail?—A. I left them in there.

By Senator BLAIR:

Q. Do you keep the jail?—A. Yes, sir.

TESTIMONY OF LEWIS H. FISHER.

LEWIS H. FISHER (colored) was sworn and examined as follows:

By Senator VANCE:

Question. Where do you reside?—Answer. At Kinston, Lenoir County.

Q. In North Carolina?—A. Yes, sir.

Q. What is your occupation at home?—A. I am a merchant.

Q. Do you own property?—A. Yes, sir.

Q. How much and of what kind?—A. It is personal property and real estate—farming lands and town lots.

Q. Do you farm some, also?—A. I rent out my land in the country.

Q. How much do you hold your property to be worth to-day?—A. Between $4,000 and $5,000.

Q. Were you formerly a slave?—A. Yes, sir.

Q. What is your age?—A. I entered my thirty-second year last January.

Q. So you were not of age when you were set free?—A. No, sir.

Q. Have you made all your property since you were set free?—A. *Every* dollar of it.

Q. What is your politics?—A. Republican, sir.

Q. Have you held any offices or official positions in your county?—A. Yes, sir. I was first appointed on the school committee in laying off the districts in the beginning. After that—holding it for four years—I was elected coroner and held it two terms, or four years; after that I was appointed county ranger, and at the present time I am school committeeman again.

Q. For your district, or the county?—A. For the ninth district.

Q. Who appointed you a school committeeman?—A. I was appointed by the Democratic board.

Q. The board of county commissioners?—A. Yes, sir.

Q. Will you state, if you know anything, what you know about these people who left your county to go West?—A. I know some of them.

Q. Do you know what inducements were held out to them to cause them to go?—A. The most that was agitated among them was the low wages at home and that they were going where they could get better ones. That was what they most seemed to talk about.

Q. What did they say was promised them?—A. They were informed that they could get $1 and $1.25 per day, and in some instances $1.50 per day; and on the farms could get $15 per month.

Q. That is what they were promised?—A. Yes, sir.

Q. Do you know what was said to them about transportation?—A. I heard that after they got to Washington they were to get free transportation; and some said that after they got to Goldsborough there was to be a sort of free train that would carry them for a cent a mile.

Q. Do you know who put those reports out among them?—A. I think I do.

Q. From what you have heard?—A. Yes, sir. There was a society up there in La Grange that sent Perry to Kansas to view the lands, and he came back and told them they could get places in Indiana and do better there.

Q. He told them that there was a demand for them out there, and that they could get these prices that you have mentioned?—A. Yes, sir.

Q. Did you ever see any of those circulars that were distributed?—A. Yes, sir; some of them.

Q. Do you recollect the promises that were made in those circulars?—A. Some portion of them, but I do not recollect all. I recollect that I saw where they said a man could get $15 a month and a cow——

Q. And calf?—A. Yes, sir; and a dwelling and fire-wood. All who were good farmers were to get $15 a month and those other things.

Q. Did you see any chromos or pictures of the kind of houses they were to have?—A. No, sir; I did not see any pictures of houses.

Q. What are the average wages of those kinds of hands in your country?—A. Labor runs down there according to the hands. I don't know of any lower wages than $7 a month for a man. They run from $7 to $10, and in some cases, on account of skill, very good hands get $12.

Q. What else is included with those wages?—A. House, fire-wood, garden patch, and sometimes a potato patch.

Q. Is there any stint about the land allowed for patches?—A. No, sir, I don't believe there is.

Q. A man can have as much land free as his family can attend?—A. Yes, sir.

Q. Well, now, please explain the situation of your people there with regard to their right to vote and the exercise of their legal rights, whether they enjoy them or not?—A. Well, sir, I think they vote just

as they please. There is no intimidation there. People may ask them to vote this or that way, but they can vote as they please.

Q. You mean people electioneer with them the same as they do with white people?—A. Yes, sir; but there is no force about it.

Q. Is there any restriction put upon their holding public meetings, religious, political, or educational?—A. No, sir; not at all.

Q. How is it about education for your race down there?—A. Well, sir, we have a ten months' system there at this time and the county is divided up into districts, and as a general thing throughout the county they have four and five months' schools, just as the money is. Sometimes they can't get teachers and then they wait until the next session and run seven or eight months.

Q. They put two sessions into one in that way?—A. Yes, sir.

Q. What is the average session of the schools out in the county?—A. About four months.

Q. Are the school-houses convenient for the colored children out there?—A. Yes, sir: sometimes they have to go three or three and a half miles.

Q. The colored children as a general thing attend the schools more closely, do they not?—A. Yes, sir, to the public schools; because many of the white people won't send their children to the public schools. They send them to the pay schools.

Q. Private schools, you mean?—A. Yes, sir.

Q. Have you any complaint to make for your people about their treatment in the courts; will the judges there do them justice?—A. I think whenever parties are convicted I see no discrimination on the part of the judges. Sometimes the colored people do not get their cases through as well as they would if they had money. I think it is the lack of money mostly that makes them lose in court.

Q. The white rascals, you think, are the smartest in covering up their tracks and in managing their cases?—A. Yes, sir; I am speaking of my county and that is the way of it there.

Q. So far as you know, and as an honest colored man, give this committee your opinion as to whether an honest, industrious colored man can do as well in North Caralina as anywhere else that you know of.—A. I think an industrious, sober man can always do very well there. Some advantage is sometimes taken of ignorant colored men. Sometimes they buy land and when they get it nearly all paid for and go to the records they find they can get no title to it.

Q. Isn't an ignorant, poor white man in the same predicament often?—A. Yes, sir; they are. I have often said that the poor whites and the poor colored people were all in the same dish.

By Senator BLAIR:

Q. Do you not punish men in North Carolina who swindle other persons by void titles?—A. Yes, sir; but then every man who buys has the privilege to go and see to his titles by the registry of deeds.

Q. Of course, I understand that, but what I wanted to know is whether instances of the kind you mention are never punished in North Carolina?—A. I haven't known of any. They always bring up the plea that the men could go to the records and see for themselves.

Q. That is no sufficient reply to the crime; but you say you have never known any man to be punished for this sort of imposition?—A. No, sir.

Q. How many instances have you known of this kind?—A. I know *of one* south of Kinston.

Q. What proportion of the colored men who are voters are also

of land?—A. I think the majority of the voters with us are col-

it what proportion, how many, whether one-tenth, one fourth, or dredth of those who have the right to vote are owners of land, homesteads?—A. I know from eight to fifteen who own land ounty.
ow many do you know, irrespective of whether they own land, ers in your county?—A. I do not know, sir. I know we have a y of from 200 to 300.
nd mostly colored?—A. Yes, sir.
o you know of more than fifteen colored men who own land in unty?—A. No, sir; I do not know more than that many.
suppose in that county there are some fifteen or twenty thousand —A. I don't think there are that many.
ou make your answer about voting in such a way as leads me ose you do not tell all about it. Is there anything else, about nting of the votes for instance, that you have on your mind?—sir. All the officers that we are allowed to vote for we generally

hat officers are elected in the county?—A. The sheriff, the reg- deeds and the clerk of the superior court, the coroner, and I be- e all go for the surveyor, Democrats and Republicans alike. The treasurer is also elected.
low is it about your representatives in the legislature? How are osen?—A. We vote for them.
ou choose a county delegation to your legislature?—A. Yes, sir; generally elect a Republican.
on't you elect but one?—A. That is all.
nd you get a Republican?—A. Yes, sir.
s he chosen for one, two, or four years?—A. For two years.
hen you do get your Republican representative?—A. Yes, sir.
What other officers are there in the county?—A. The magistrates not vote for.
low do you come by your magistrates?—A. They are appointed.
ow?—A. By the legislature.
re they Republicans or Democrats?—A. They are Democrats.
What are the other officers that you have?—A. County commis-

hey are appointed in the same way?—A. Yes, sir.
What others, still?—A. Judges of the inferior courts.
ow do you come by them?—A. Through the county commis-

hen the legislature elects the commissioners, and they appoint ges?—A. Yes, sir.
hen it comes to this, that Democrats value and assess property for nd that the laws are administered by Democrats, and the only you Republicans get are officers who simply carry out the direc- the Democratic office-holders?—A. That is so.
nd that in a county that is largely Republican?—A. Yes, sir.
, under this change, it does not make much difference to you r you vote or not?—A. No, sir; so far as those officers are con- We would like to vote for all our officers if we could be allowed

f how many judges does the supreme court consist?—A. I can't hat is the highest court. The judges of the superior court, we em.

Q. How are they elected?—A. By districts.

Q. Taking the State together, how many of them are there?—A. I disremember whether it is nine or not, but I think there are nine judicial districts.

Q. Do you know how many of them are Republicans?—A. I do not know but one, sir, at present.

By Senator VANCE:

Q. There are Seymour and Buckstone, are there not?—A. Yes, sir; Seymour is in there. He was elected in our district, but that don't do us much good, as they have to change around.

By Senator BLAIR:

Q. How many judges do you say comprise the supreme court?—A. There are three of them, I think.

By Senator VANCE:

Q. And they are elected?—A. Yes, sir.

By Senator BLAIR:

Q. Do you know the political sentiments of the supreme court?—A. I do not.

Q. In speaking of the schools you said something about private schools and that many white men will not send their children to the public schools; do you mean to say there is any prejudice on the part of these people against public schools?—A. I suppose it is because they think they are able to pay for their children's schooling and so send to them.

By Senator VANCE:

Q. The private schools are generally better than the public schools?—A. Yes, sir.

Q. And hence are preferred by those who can afford to pay?—A. Yes, sir; that is the way of it.

On motion the committee stood adjourned to Wednesday, February 11, 1880, at 10 a. m.

THIRTEENTH DAY.

WASHINGTON, *Wednesday, February* 11, 1880.

The committee met at 10 a. m., pursuant to its order of adjournment, and proceeded with the taking of testimony.

Present, the chairman and all the members of the committee.

TESTIMONY OF F. B. LOFTIN.

F. B. LOFTIN was sworn and examined as follows:

By Senator VANCE:

Question. Where do you reside?—Answer. In North Carolina.

Q. What is the place of your residence in North Carolina?—A. My residence is in Kinston, Lenoir County, North Carolina.

Q. What is your occupation?—A. I am an attorney at law.

Q. What counties do you practice in?—A. In the counties of Lenoir, Greene, and Jones, and occasionally in Wayne and Craig.

Q. I have called upon you to testify in regard to the treatment of the *colored* people in the circle of your practice in the courts. You have had

me criminal practice?—A. Yes, sir; I have had, since I have been acticing, quite an extensive criminal practice, particularly in Jones d Greene Counties, and a good deal of opportunity to observe the urts there. I can state to the committee that so far as I have been le to observe, I have known no distinction made between the white d colored man. We have gentlemen of learning and eminence for dges, and who administer our law impartially, I think, between the hite and colored man. I have never noticed any distinction on account race or color.

Q. Have you colored men on the juries down there?—A. Yes, sir; e have. They are permitted to sit on juries without any discrimina-on whatever.

Q. It has been said here that more white men than colored men go ee in proportion to the number indicted for offenses. How is that?—. My observation is, that more white men who are indicted are con-icted than colored men. I have noticed that where a white man is raigned for larceny, or a felony, as his social condition is more affected an the negro's, and I think the juries are more severe on them than n the negroes. I remember a case at the last inferior court, where colored man appeared for a colored man, and the argument he made the jury was that they were to try him the same as they would a hite man; and when the judge came to charge the jury he reiterated at part of the counsel's argument, and said they were to find the facts, nd try him by the same rules as they would a white man.

Q. You are not a farmer yourself, but your father is?—A. Yes, sir; e is a tolerably large farmer. He owns some two thousand acres of and.

Q. Do you know anything of farming operations in that section as ffecting these people?—A. They work on there very smoothly. We ave had no trouble with them, but this exodus movement is affecting abor with my father some. He talks over his business to me and tells ne about it. He usually makes contracts on the 1st of January, and his January, at the middle of the month he had not rented any land or nade a contract. He ran off two or three families on that account be-ore he could make contracts with the others.

Q. You mean he made them leave unless they would make contracts?—A. Yes, sir.

Q. I will ask you whether there is any political persecution, violence, r anything of that kind influencing them to leave there?—A. I have no esitancy in saying that they vote just as freely and without compulsion s they could desire, so far as the white people are concerned. They ote very nearly the same way, and the only thing I have seen to fore-all their action is when a colored man tries to prevent another col-ed man from voting.

Q. They don't allow him to vote the Democratic ticket?—A. No, sir; ey don't respect him afterward, if he does. I have seen violence of-ed between themselves, but have seen nobody hurt. I know my father d a waiting boy and I had a very particular friend who was running the legislature and I wanted the boy to vote for him. He said be-e the election that he would do it, but on the day of the election he ne and told me that the colored people were all mad and he could ; do it. I said, "All right," and he voted the full Republican ticket.

Q. Do you know of any men discharging their croppers or workmen not voting the Democratic ticket?—A. No, sir; I haven't heard of r case of that kind. When politics are running high about election e they talk that way—some *violent men do*, but after the election it

all passes off. I will cite an instance in our town. Our barbers are all colored men and vote the Republican ticket. We were trying to elect our senator, but could not do it. Some parties got angry at the colored barbers and one man sent off after a white barber. One came there and set up, but pretty soon they wouldn't patronize him and he had to leave. I do not think the better part of our people were in favor of any such move as that.

By Senator BLAIR:

Q. To what extent does your father tell you this disturbance of his labor exists?—A. It is very general among his hands.

Q. How many hands does he employ?—A. I believe he works a four or five horse farm—thirty acres to the horse; I know he works that much.

Q. How many hands would that require?—A. From seven or eight to ten hands.

Q. Then he rents some of his land?—A. Yes, sir; the principal portion of his land is rented.

Q. And this disturbance of labor exists quite generally?—A. Among his hands it is very general.

Q. You know of no reason why that is true of his hands more than of others?—A. I have heard of others in the same fix.

Q. There is no reason why your father's hands should complain more than those of others?—A. No, sir; but I think, from what I have heard, they were pretty generally stirred up by this Indiana movement.

Q. Is the movement increasing or decreasing?—A. It is very generally passing away.

Q. You have no reason to think it will be in existence a year from now?—A. I think not. I think the colored people in our county are well treated, and where they are industrious and honest they accumulate something.

Q. Are they generally well satisfied?—A. I think they are, or were until I first heard of this movement last September.

Q. Have you come in contact personally with any of the negroes, and learned their reasons for emigrating?—A. No, sir; I have not had one of them to tell me.

Q. Do you know whether this is a political move or not; whether the Republican party down there has encouraged it?—A. I think this movement was gotten up by this fellow Perry and others. He is a very violent Republican down there. He spoke right in front of my office, on the court-house green, and told the colored people they were outraged by the white people and cheated and all that.

Q. Do you think he was talking for himself, or do you think the Republican party in North Carolina encouraged this movement?—A. I do not know of anything of the kind. All I know about that part of it I got from newspapers.

Q. All the testimony we have had here has been to the effect that the Republican press of the State was strongly opposed to it.—A. I know the white Republicans of our county haven't favored it. The white men of the Republican party are opposed to it.

Q. There are not many of them?—A. No, sir; our sheriff is one of the leading Republicans—James K. Davis. There are also W. W. Hunter, our clerk, and our register, and a Republican justice of the peace by the name of Coleman.

Q. These men are all opposed to it?—A. Yes, sir.

Q. Do they depend upon the colored Republicans for their votes?—A. *Yes, sir.*

Q. They would hardly encourage the emigration of their own supporters, would they?—A. Those who are there I am satisfied are against it.

Q. Then the leading Republicans, white and black, in North Carolina are opposed to it?—A. Yes, sir; that is my judgment.

Q. Can you mention a prominent Republican, white or colored, who is in favor of the exodus?—A. Well, I can mention this negro, Perry.

Q. Do you look upon him as a leading Republican?—A. Any negro who speaks much gets to be a leader with them.

Q. Do you recognize him as, in any sense, a leader of Republican sentiment?—A. No, sir; I do not.

Q. Is his movement, then, a political one, or a scheme to accumulate a little money for himself?—A. I think his principal object was to make money.

Q. Do you know any way in which he is aided by political influence?—A. No, sir; I have heard that the railroads pay him something, and that he had a society that paid him something.

Q. I meant to ask you whether Perry was trying to promote his own interests by it, pecuniarily or politically?—A. Pecuniarily; yes, sir.

Q. You spoke of some case in court, and of the lawyer cautioning the jury to try the colored man by the same rules they would a white man, and that the judge reiterated the remark—how was that?—A. Yes, sir; that was it.

Q. Do you think it would be necessary to remind them of that, and ask the same justice for him as for a white man, if there were not some prejudice usually among juries against colored men on trial?—A. No, sir. I think that was a case of overzeal on the part of his counsel.

Q. And the court in its overzeal reiterated it?—A. Yes, sir. I think it was unnecessary for counsel to have made it.

Q. Why, then, were you particular to remark that the judge repeated it?—A. I made that remark to show that our courts endeavor to prevent any differences between white men and colored men.

Q. Then it was a sort of vague sentimental statement of an abstraction?—A. Yes, sir.

TESTIMONY OF J. H. RUSSELL.

J. H. RUSSELL was sworn and examined, as follows:

By the CHAIRMAN:

Question. Mr. Russell, where do you live?—Answer. Indianapolis, Indiana.

Q. What business are you engaged in?—A. In the undertaking and livery business, and running a hack and transfer line.

Q. You are in the "undertaking" business—that is, you bury people?—A. Yes, sir.

Q. Now, you live at Indianapolis, and are an undertaker by occupation?—A. Yes, sir.

Q. I wish you would state to this committee about how many of these North Carolina emigrants you have buried since they commenced coming there to Indianapolis?—A. Up to the 28th of January, I think we buried from twenty-five to thirty.

Q. What were they; men, women, and children?—A. Mixed; some men and some women and children, but mostly children.

Q. In what space of time did *you bury* twenty-five or thirty?—A.

From the time my attention was first called to it—say seven weeks to two months—the 1st of December to the 28th of January.

Q. In two months you buried this number?—A. Yes, sir.

Q. How long have you been in this undertaking business?—A. About twenty months.

Q. Supposing there were one thousand to twelve hundred of these people who remained in Indianapolis, would that be an ordinary or unusual per cent. of mortality for that time?—A. It would be an unusual mortality among that number of people.

Q. What is the average in your city?—A. We have one hundred and seven thousand (107,000) population, and our average death rate is twenty-seven (27) a week.

Q. State whether Marion County, in which Indianapolis is located, employs a county undertaker to bury the poor, charging the expense to the public?—A. That is the contract; we have it.

Q. You are county undertaker?—A. County and city both.

Q. How many of these North Carolina folks did you bury as paupers?—A. Every one of them.

Q. They were all buried as paupers?—A. Yes, sir; every one.

Q. Were they charged to the charity of the city or the county?—A. Of the county. The city only pays for those dying in the hospital and the station-houses. The county pays where they die otherwise, and in public institutions.

Q. What is the expense of burying one of these paupers?—A. Five dollars and fifteen cents—grave and everything.

Q. Is that cheap or not?—A. Yes, sir; very. They get no carriage or hearse; nothing but a plain box.

Q. And have no religious services?—A. No, sir; unless it is before we take the box there. That is the general way.

Q. What were the causes of the deaths of these people?—A. Diphtheria and scarlet fever principally. Their difficulty was in not being acclimated. Some of them died with pneumonia.

Q. What was the condition, generally, of these people?—A. I did not go myself; but my men reported each family.

Q. What opinion of them did you derive from the reports?—A. They reported it bad in most every case. In some houses with only two or three rooms, there were ten or fifteen people together. They have no furniture and make their scanty beds on the floor, and all their general surroundings indicate poverty. One case of death in the southern part of the city occurred along in January. A family of nine—seven children and man and wife—had nothing at all except a pile of straw in a corner and one old comfort to cover them. One of the children was taken sick and died before they let it be known.

Q. Did you receive this as a report from your men?—A. Yes, sir; and I afterwards went down myself to see the destitution of those people.

Q. Did you take some steps to help them?—A. Yes, sir; we did.

Q. You are a Democrat?—A. I am not radical in any way. If I have any special friend in any way I vote for him, but I generally vote the Democratic ticket.

Q. What is your firm?—A. It is under the name of J. H. Russell & Co.

Q. You are pretty well mixed in politics?—A. No, sir; not particularly.

Q. What do think of there being a demand out there for these sort of people?—A. There is none whatever.

Q. *Doesn't* it seem to you, with your knowledge of their condition,

shame and an outrage to encourage them to come out there?—A. Yes, sir; not only upon them, but upon the people—the tax-payers.

Q. Isn't it a great outrage upon the poor negroes?—A. Yes, sir.

Q. Isn't it a fact that there has been a large number of idle people in our State and actual suffering among them for want of employment during several years past?—A. Yes, sir; and old residents, too.

Q. Isn't it true that men in all kinds of business, even now, are being constantly applied to for work?—A. There is a surplus of labor in Marion County at all seasons of the year.

Q. And you know of no demand for farm labor?—A. Farmers complain of being applied to too much and of having to keep and feed men who come destitute and asking for work.

By Senator BLAIR:

Q. I suppose you find the mortality in Indianapolis usually larger among poor people than others in the winter season?—A. Not in those months I mentioned.

Q. In what months do you have the most deaths?—A. We usually have them in June, July, and August, and in October and November.

Q. What are the causes?—A. They are the changes of the weather at that time of the year.

Q. Have you a poorer class there who are subject to more deaths in the winter than another?—A. The winter and poverty might increase the rate a little.

Q. There is such a class there as I have spoken of?—A. Yes, sir.

Q. Don't you think cold and hunger tend to increase the death rate?—A. My experience is that we have a larger death rate at other seasons of the year.

Q. Taking the poor—the paupers—don't you think the mortality is greater with that class in the winter time?—A. No, sir; I have had the contract for two years and I know our bills run up to larger amounts in the summer time.

Q. Isn't it true that the mortality is greater, as a rule, among the poor and destitute than among the well-to-do people who are able to attend to their sanitary condition and have physicians?—A. Those things might have effect upon the number.

Q. So you would expect to find among the poorer classes a greater number of deaths at any season?—A. Yes, sir; in proportion.

Q. You say you have buried twenty-five or thirty of these immigrants?—A. Yes, sir.

Q. Is that the full number who have died?—A. I said since my attention was first called to the fact by my men that they were immigrants we were burying.

Q. Perhaps they mentioned it about the first case they had?—A. No, sir; not the very first, probably.

Q. You do not suppose there were many more than twenty-five?—A. There might have been three or four more.

Q. Possibly thirty, in all?—A. Yes, sir.

Q. Do you know how many emigrants came to Indiana?—A. No, sir.

Q. There were a good many women and children among them?—A. Yes, sir.

Q. And they were all poor?—A. Yes, sir.

Q. Did they come as laborers in search of work?—A. Yes, sir.

Q. Were any of them distributed among the farmers?—A. Yes, sir; there are a great many of them distributed.

Q. Do you know how they are doing—those who got work?—A. We

get reports that they are not doing very much. The people do not them as laborers.

Q. Then Perry is about right when he thinks, for the negroes "I ana is worse than hell"—or words to that effect?—A. No, sir; we d think so.

Q. Haven't you heard that they find Indiana that sort of locality t Perry thinks it to be?—A. No, sir. Those who came there expecte find something great ready for them and were disappointed.

Q. They have been badly disappointed?—A. Yes, sir. We have pl of men out there and no work for them.

Q. Do you find a general desire among them to get back?—A. A g many do, for the reason that they have been deceived in being brou there.

Q. Is there any general desire among the people to have this im gration increase?—A. No, sir; I think not, outside of the politicians.

Q. Who of the politicians do you think are at the bottom of it?—A. think such men as John C. New and Martindale.

Q. They are leaders of the Republican party?—A. Yes, sir; but the stay in the background and use "Cy" Reynolds as a tool.

Q. How do you know that?—A. From conversations I have heard.

Q. Have you heard Mr. New say anything about it?—A. No, sir; have not talked to him personally.

Q. What is the effect of this movement on public sentiment?—A. The public are against it, because these people are poor and have to live on the charity of the county.

Q. You think Mr. New would incur trouble with his party by doing this thing?—A. Not if he could stay in the background like he has.

Q. Don't you think the Republicans will find it out?—A. No, sir; not generally. I think some of them do know it, but have not the power to stop it.

Q. Who have not?—A. Those Republicans who are in active life.

Q. Nevertheless, you think they will resent it?—A. I think they will.

Q. You think he would do that knowing he would lose votes to his party?—A. I think he would.

Q. Then you think he is making a brilliant fool of himself?—A. I do not know as to that.

Q. You are a Democrat?—A. I am not a Radical.

Q. The Democrats are anxious that he should go on and do this thing? —A. No, sir; we are not.

Q. Yours is a pretty close State?—A. Yes, sir.

Q. You have close and severe political fights there?—A. Yes, sir.

Q. Don't you think it is possible if the Democrats saw New and other leading Republicans doing things to injure their party these Democrats would want it done?—A. If it was a general thing it might do, but it is only done in certain localities.

Q. But they are anxious for it if it can be pretty well known?—A. Yes, sir; I think so.

Q. And you think this movement is going to hurt the Republican party?—A. Yes, sir.

Q. Don't you think the Democrats are willing to see the Republican party injured?—A. Well, sir, we don't like to have these people there on any terms.

Q. You have been paid over one hundred dollars for burying these people?—A. Yes, sir; about that.

Q. Do you think they are generally earning a living?—A. No, sir; I *do not* think they could live there at the wages they would receive.

n live down South where the people understand them and live etter.
ell, as I understand you, here is a movement that is directly to ry of the Republican party, and yet you Democrats are opposed A. My idea is that the Democratic party is opposing it because the injury of the tax-payers.
on't they want it kept up to injure the Republican party?—A. ; I don't think so.
hey do not?—A. No, sir.

TESTIMONY OF SCOTT RAY.

T RAY was sworn, and testified as follows:

By the CHAIRMAN:

tion. Where do you reside?—Answer. Shelbyville, Ind.
hat is your profession?—A. I am a lawyer, and editor of the Democrat-Volunteer.
Ir. Ray, you may state to this committee whether you know of rth Carolina emigrants coming into your county recently, under igration movement?—A. Yes, sir; some time this winter there presume, 25 or 30 that came into Shelbyville.
re you advised of the purpose of this emigration, any further eir coming to your county?—A. No, sir; I cannot say that I am .
tate what demand is there for the labor of these emigrants.—A. there is no demand there at all, for I think we have enough s there to supply all the demand—more, in fact, than is necessary ly it.
o you know the condition and the employment of these emigrants ime you came away from home?—A. The last I heard from them ere huddled together in a little hut on the side of the city, and n the charity of the people, out of wood and with very little to

ow many were in that house, did you understand?—A. I think there, or nearly all.
early all the 25?—A. Yes, sir.
ow many rooms were in that house?—A. I do not know, sir; it le cabin, and I think it has only one room.
ow are they being taken care of?—A. I think they were on the of the people there.
o you mean that sort which depends upon individual giving or ublic charity?—A. Individual charity.
nen there has been no official charity extended to them yet?— sir.
hose sort of people generally get into the poor-house, do they A. Yes, sir; that is the result, I believe, generally.
nder the laws of Indiana there is a county poor-house in each is there not?—A. Yes, sir.
here those who cannot find employment, and have nothing to can go?—A. Yes, sir.
hat kind of people are those?—A. I think they are all women ldren, except four or five.
ave the men got employment?—A. They are trying to get em-

ployment about the town at sawing wood and doing the best they can at odd jobs.

Q. Before these people came was there any symptom or any talk of any movement to invite them to come to your place?—A. No, sir; there was no invitation from any one in our town.

Q. Is there a Republican newspaper in your place?—A. Yes, sir.

Q. What is it called?—A. The Republican.

Q. Has it discouraged their coming?—A. No, sir; but rather encouraged it by holding out the impression that there was plenty of work to do, and all that.

Q. Mr. Ray, have you ever had any conversation with or heard him say anything about this matter—I mean the chairman of the Republican County Committee of Shelby County?—A. Yes, sir; I had a conversation with Captain Byers. He has been the chairman of the Republican county committee until within the last few days.

Q. What is his name?—A. Captain Henry S. Byers.

Q. You say he has been, up to within a few days, the chairman of the Republican county committee?—A. Yes, sir.

Q. State what conversation you had with him on the subject.—A. I had a conversation with him that day, which I reduced afterward to writing that same evening.

Q. Have you it with you?—A. I believe I have.

Q. Will you please produce it?

[The witness produced a paper.]

The CHAIRMAN. If you wish it, you can give it to the committee in the form as you have it there. Was he at that time the chairman of the county Republican committee?

The WITNESS. I think they had appointed his successor on the Friday previous, and this was on the following Sunday evening.

Q. Captain Byers is a man of character and respectability, is he not?—A. Yes; he is one of the leading Republicans of our county, and very generally esteemed.

Q. What is his age?—A. I suppose 38 years.

Q. Did he ever hold any official position in your county?—A. No, sir; not in our county.

Q. It is rather difficult for a Republican to hold office in your county, is it not?—A. Yes, sir; our county is pretty solidly Democratic.

Q. Now, will you please read that paper.

The witness read the paper as follows:

"I had a conversation with Captain Henry S. Byers, ex-chairman of the Republican Central Committee of Shelby County, Ind., on Sunday night, January 25, 1880, in the city of Shelbyville, in the presence of Edward Small and George M. Goulding, two of the leading merchants of the city, in which Mr. Byers said: 'There is no disguising the fact, Ray; the exodus movement of the colored men to Indiana is a political movement of the Republican party, as I know it to be a fact. We intend to carry Indiana with the aid of the negro vote, and if the Republican party had taken my advice six years ago, they would have set the movement on foot and brought them here long ago. We intend to bring 8,000 of them into the State in time for them to vote this fall, and will place them in the close congressional districts and into the close counties of Indiana. While it is rather expensive, it is cheaper for the party than to be compelled to buy votes on the day of election, as we have always had to do.' I asked him if we was in a position to know whether it was an organized effort on the part of the Republican managers to bring them into the State for political purposes, and he said he

d then produced a letter with the heading of the Republican
entral committee printed upon it, but refused to read its contents.
him if he had contributed any money for the purpose of bring-
negroes who had lately come into Shelby County, and he replied:
I contributed all I was able to contribute.' Mr. Byers for several
as been one of the leading Republicans in Shelby County, and
eral years has been its chairmen."
Who was that made in the presence of, what parties?—A. Mr.
W. Goulding, a leading clothing merchant in our town, and Mr.
l Small.
What is Small's occupation?—A. He is a confectioner, and sells
pers and cigars, and has been there for a number of years. Both
are men of high character and standing.
ou say that Captain Byers produced a paper with the State com-
mittee's printed heading on it?—A. Yes, sir.
How much of the letter did you see?—A. No more than the head-
When I asked him if he was in a position to know whether this
Republican movement or not, he pulled the letter out and showed
e, but he did not let me see the contents of it.
But he was thereby making the impression upon you that he was in
unication with headquarters upon this subject?—A. That was the
sion I thought he intended to convey.
How far is Shelbyville from Indianapolis?—A. Twenty-five miles.
What do you know of the object of the coming of those negroes to
ville?—A. When those negroes came to Shelbyville I met one of
and he had a card, or a little slip of paper, with the name of a
ent Republican upon it.
Who was that?—A. George M. Wright.
Where did this negro tell you he came from?—A. From North
a.
Where did he tell you he got Mr. Wright's name from?—A. He
t tell me.
He came with this party of emigrants, did he?—A. Yes, sir.
Did you talk with any of them besides him?—A. Yes, sir; I had
with some of the women the same day they got there.
What is this about a mob or a riot in your town that we have heard
here has been some talk here about it.—A. I was not there myself,
ook occasion to inform myself concerning it, and I ascertained that
as no mob and no riot, but there had been some outrages, and
onal reports had been sent to the Cincinnati Gazette and Indian-
Journal concerning an alleged mob in Shelbyville; I suppose sent
or political effect.
ut there was, however, a strong feeling in the community against
ning of these emigrants?—A. Yes, sir; but it did not break out
orm of mobs or any other violence.

By Senator BLAIR:

o you think the negro can go to Indiana and exercise his politi-
ts without being subjected to mob violence and the interference
u-klux?—A. Yes, sir; I do.
diana is better in that respect for them than some parts of the
—A. I do not know as to that.
, is a fact, though, that the negro can go there and exercise his
l rights?—A. Yes, sir.
s to this alleged riot, as you term it, in your town, Mr. Ray,
state what the circumstances were?—A. Well, sir, after this first

batch of negroes arrived at Shelbyville, word reached the city by telegraph from Cincinnati, that there was another car load coming to Shelbyville. Our folks were very indignant about it, and quite a number, probably 25 or more, went down to the depot to see who were coming, and how many got off at Shelbyville. That was the extent, and that was their intent, as I understand it.

Q. From whom did you understand it?—A. That was the information which I gathered from parties who were there, and who composed some of the best citizens of the place.

Q. And that you understood was the whole extent of their actions?—A. Yes, sir.

Q. Did any negroes come at that time?—A. I think there were some who passed through, but they did not stop; they were checked through to Indianapolis.

Q. There was no intention, then, among them to stop there?—A. No, sir; I think not.

Q. But the train stopped there, did it not?—A. Yes.

Q. Did these 15 or 20 citizens go in and look over these emigrants in the train?—A. No, sir; I think not.

Q. They simply went there and looked over the train, and stood around like other people?—A. Yes, sir.

Q. And it was not a very serious matter after all?—A. No, sir.

Q. You say that there was 15 or 20 of them that went down there?—A. Yes, sir; and among them were some very respectable people.

Q. You have with you here a written conversation between yourself and Captain Byers?—A. Yes, sir.

Q. I see that it is a very recent date, the 25th of January?—A. Yes, sir.

Q. It is pretty generally known out there that this investigation is going on here?—A. Yes, sir.

Q. Is it a matter of common knowledge to your people?—A. Yes, sir.

Q. And you know that Captain Byers knows about it?—A. Yes, sir; I suppose so.

Q. And he knows that it has been charged here that this is a Republican movement?—A. Yes, sir; if he has been reading the newspapers, I suppose he does.

Q. Do you think that such facts as he told in that conversation would, if generally diffused through Indiana, help the Republican party very considerably? If it were known that the Republican party as individual politicians, or as a party, were raising money to bring colored people there to carry the State and swamp the Democratic party, what tendency do you think that information would have upon the prospects of the Republican party generally?—A. I think it would have a tendency to hurt the party.

Q. And especially when he can claim these people are poor, and not only curse citizens by coming, but curse the State?—A. Yes, sir; they are no benefit to the State.

Q. Now, Mr. Ray, as an intelligent man, do you think that Captain Byers would communicate to you facts like these, knowing you to be a Democrat?—A. Well, sir, the captain is a very frank man, and he often puts me in possession of facts about his party which I otherwise could not obtain. He has frequently given me information of that kind.

Q. Did you think, at the time you had this conversation, that you were going up as a witness before this committee?—A. Yes, sir.

Q. And you thought you would talk with him, and hear what he had

o say?—A. I thought I would talk to him, and if he said anything that I thought important I would use it.

Q. And you secured that conversation and committed it to paper for se before this committee.

The CHAIRMAN. I wish to state here that I did not know anything of he paper whatever.

The WITNESS. No, sir; I never showed it to you.

By Mr. BLAIR:

Q. I see from your statement that this man says they were going to ntroduce 8,000 negroes into the State before the next election; now, ow long a residence has a man got to have before he votes in Indiana? —A. Six months.

Q. The election is to occur next November?—A. Yes, sir.

Q. And do you believe, as an intelligent man, that they are coming here?—A. I do. There are 2,000 or 3,000 there now.

Q. Not all voters, are they?—A. No, sir; they are not all voters.

Q. Perhaps three-fourths of them are women and children, are they not?—A. No, sir; I think probably two thirds.

Q. The great mass of them, then, do not come there for the purpose of voting?—A. Of course, the women and children cannot vote.

Q Now, if the Republicans ever intend getting control of the State, don't you think they are acting very foolish to bring in three persons who are not voters in order to get one who can vote?—A. I do not think the original intention was to bring these women into the State. I think they thought they would bring in the men, and it has since turned out that the men would not come unless the women and children accompanied them.

Q. And you think that they are really going to bring them in there? —A. Yes, sir; I think they will get enough in there if they can.

Q. How many colored Republicans do you think they would have to bring into the State of Indiana to break up the Democratic majority?—A. Eight or ten thousand.

Q. Then you do not think that this importation of voters is likely to cause much defection from the Republican party?—A. I think it has a tendency to drive the poor white men from the Republican party into the Democratic party.

Q. What is the Democratic majority in the State on a popular vote? -A. I do not know, sir.

Q. It is pretty nearly even, is it not?—A. Yes, sir.

Q. Do you think it is more than 5,000 or 6,000 majority?—A. I think is about that.

Q. And you think the Republicans, between now and the 1st of May, e going to brink 8,000 colored Republicans there from other States for e purpose of carrying the State in the interest of the Republican rty?—A. I think they are going to bring them there and try it.

Q. And you base that statement on this statement of Byers?—A. Yes, , partly; and this gentleman who is at the head of the emigrant ciety here in Washington, Mr. Holland, I believe, who testified, said was going to enter into the movement with greater vigor, and send the people he could to Indiana.

Q. Do you think that the Republicans there believe that there is a gitimate demand for the emigration of white and colored people to Inana, and that they are glad to receive any emigrants who desire to me, and the negro being a natural Republican, they desire to have ese men come more than any other?—A. No, sir I think the Repub-

lican party is actuated by the very worst of motives in carrying out this scheme. I think they are bringing them into our State for a political purpose.

Q. Do you think they are bringing them in there for a political purpose?—A. Yes, sir; I think they would do almost anything.

Q. What, this party of high moral ideas?—A. Yes, sir.

Q. And you think these Republicans are doing this thing—paying the way of these negroes, and helping them along for six or eight months, from the very worst of motives?—A. I think it is for a political purpose, and I do not think it is done without any regard for the condition of the negro himself or his material welfare and benefit.

Q. Do you have any feeling against men coming in there and voting the Democratic ticket?—A. I would not object to it.

Q. You would not object, but you do not want them to come there, even if they vote the Democratic ticket, since there is a surfeit of labor, do you?—A. I think if a man wants to come into the State, and wants to vote the Democratic ticket, it is all right.

Q. And if a good Republican editor says he is willing for a man to come in there and voting the Republican ticket, how about that?—A. I think that is all right.

Q. Are you willing for the laboring people to come into the State—the poor people, even—if they vote the Democratic ticket?—A. I do not think they would do very well to come in there; as I say, the State is full of laboring people, sufficient to meet all the present demands.

Q. You mean until business starts again—that times are dull there?—A. Well, sir, we have got plenty of labor to do all that is required at all seasons of the year.

Q. Is it your opinion that Indiana has ceased to be a desirable State for people to emigrate to?—A. I said it in this way, that I think there is enough there to till the soil and supply all the present demand for workingmen.

Q. Then, as a Democratic editor, if you were to write anything for publication in your paper on this subject, you would say to the laboring people of this country and the world, "Do not come to Indiana," would you not?—A. No, sir; I would not say that. If I was called upon to express my sentiments on the subject, I would express them just as I have done to you.

Q. Then, if you were an honest editor, would you not say that?—A. Well, sir, they could take their choice and chances.

Q. Is it not your duty as an editor and sentinel of the watch-tower of this journalistic Zion to tell these people all to come there?—A. No, sir; I do not think it is part of the duty of the press to do anything of that sort.

Q. It is against the interest of the people and tax-payers, and if it is to their interest not to have these people come, and to the interest of the people themselves to stay away, do you not think it is your duty to do that?—A. No, sir; I do not.

Q. These gentlemen, Small and Goulding, are both good Democrats?—A. Yes, sir; they are solid Democrats.

Q. Was this a prearranged conversation?—A. No, sir; it was not.

Q. Where was it held?—A. It was held in front of Mr. Small's place. Mr. Byers came up, or rather Mr. Goulding went in to get a cigar, and I suppose Byers came up to do the same thing.

Q. And you thought it was a good place to put your questions in?—A. Yes, sir.

Q. Do you not think that he was hoodwinking you?—A. No, sir; I think not.

Q. Well, Republicans are a pretty smart people out there, are they not?—A. Yes, sir; some of them are.

Q. Might it not be that in this case the biter was being bitten?—A. No, sir; I think not.

Q. He might have been fooling with you, though?—A. Well, sir, the captain was very serious in what he said.

Q. He looked like it, at any rate?—A. Yes, sir.

TESTIMONY OF JAMES E. BAKER.

JAMES E. BAKER was sworn and examined, as follows:

By the CHAIRMAN:

Question. What is your occupation, Mr. Baker?—Answer. I am land clerk in the auditor of state's office.

Q. Where?—A. Indianapolis.

Q. Mr. Baker, you may state if you have given some attention to this movement of colored people into our State.—A. I have, sir.

Q. About what time was your attention directed to it?—A. About the 18th of October, 1879.

Q. What directed your attention to it at that time?—A. There was a party who gave his name as Aaron W. Heath, who was brought to our office as the advance agent of the emigrants from North Carolina.

Q. A colored man?—A. Yes, sir.

Q. What sort of a colored man was he?—A. A real sharp, intelligent colored man; rather above the average, I thought.

Q. Do you know where he is now?—A. No, sir; I saw him last on the 23d of October.

Q. What did he come to your office for?—A. He came there for help. He took us for Republicans.

Q. Who came with him?—A. Mr. James C. Miller, assistant adjutant general.

Q. Did Miller play Republican on him?—A. Yes, sir; I think he did.

Q. Who else was there?—A. Miller and I and the darky. He gave us a statement of his mission there, which we wrote down and took to the clerk of the supreme court to be sworn to by him.

Q. How much conversation did you have with him before that was done?—A. Fully an hour. I spent pretty much a full day with him.

Q. Look at that (handing witness a paper) and see if that is the statement he made.—Yes, sir; that is the statement the darky gave us.

Senator VOORHEES, the chairman, read the statement, as follows:

STATE OF INDIANA,
Marion County, sct.:

I, A. W. Heath, colored, aged 30, being a resident of Kingston, Lenoir County, North Carolina, being duly sworn, say that I left the place of my residence in September, 1879, and went to Washington, D. C., when I landed at Washington City October 1, 1879; and when I first landed at Washington I inquired for my aunt, Harriet Brooks, and found her, and staid there for one week, being sick. I then went to J. M. Adams, secretary of the emigrant society, 1338 V street, northwest, at Washington City, and he gave me transportation to Indianapolis. Mr. Hawkins, who stays on the second floor of the Treasury building, also advised me to come here. I think Mr. Adams said his home was here. Mr. Adams told me when I got here to apply to Dr. S. R. Elbert, at Indianapolis, Ind. I called on *Dr. Elbert;* he gave me but little satisfaction.

He advised me to get a job and go to work here. This did not satisfy me, for the number I was hunting homes for would not be benefited by my securing a job for myself. I think the whole colored population—in fact, as many as several hundred—desire to come. I represent a large body that want homes, and as soon as I get places found I am to inform Mr. Adams, and he is to send 10,000 pamphlets to Ohio and Indiana, stating the condition of the colored people. We have been instructed to get away from North Carolina by the 1st day of June next, so that the census may show us to belong in Indiana, and not in North Carolina, for if we are taken there the Democrats will elect the Congressmen, and our moving wou't do us any good at all. I am a Republican, and always have been. I think some 400 or 500 voters from my own neighborhood are expecting to come. I met this morning in the city of Indianapolis a school teacher (colored) who told me to go and see Mr. Martindale. I went to his room, but he was not in. If I can't get location for myself and the families that want to come here, I am going to Kansas, even though I have to walk all the way.

A. W. HEATH.

Witnesses:
JAMES E. BAKER.
JAMES MILLER.

Subscribed and sworn to before me this 18th day of October, 1879.

GABRIEL SCHMUCK,
Clerk Supreme Court, Indiana.

Q. Did he write his own name?—A. Yes, sir; and that is his statement without any coloring, just as he made it.

Q. This statement was written out by whom?—A. By me.

Q. And read over to him?—A. Yes, sir; after we came to the clerk's office.

Q. And these interlineations were put in as he desired the changes made?—A. Yes, sir; he could read writing, and write himself.

Q. How long were you with him?—A. Nearly the whole day of Saturday, and then I was with him a while on Monday.

Q. This was on the 18th of October?—A. Yes, sir.

Q. To whom of the prominent men of Indianapolis did you submit this statement when you got it?—A. When I got it in the evening I called together Governor Hendricks, Mr. Brown, William Henderson, W. W. Wooten, T. W. Wooten, attorney-general, and Joseph Nichol, of the leading Democrats of Indianapolis.

Q. You showed it to me, didn't you?—A. Yes, sir; and Senator McDonald was present.

Q. This affidavit was made and shown to Governor Hendricks before he made that speech about the exodus?—A. Yes, sir; that was the first affidavit captured in Indiana.

Q. This man went to Greencastle in a mail-car, did he not?—A. Yes, sir; I was there and saw him drop off. I was there as an advance agent to warn those people of his coming. I saw Mr. Lewman and we went down there to the train, and he (Heath) dropped out of the car. He had a six-quart bucket and an old carpet-bag.

Q. You saw the paper that Mr. Lewman has testified to, directing him to Rev. Mr. Clay and to Langsdale?—A. Yes, sir; I saw that. On the back of it was "Holloway, P. M." He dropped from the train and came up to Lewman and asked him if he would show him to the post-office, and Lewman said "yes," and that he kept the office. Heath did not recognize me, as I hid my face from him. I did not want him to see me there after having played such a trick on him in Indianapolis just a day or two before. So I kept in the background.

Q. What did he tell you about seeing Martindale in Indianapolis?—A. He was at the office on Monday and said he was going to see Martindale. I suppose the reason he came to our office was that I kept the land office and he had been told he could buy a great deal of land at *one dollar* and a quarter per acre, with four years to pay for it. He

id that he wanted to get homes for these colored people who were ming.

By Senator BLAIR:

Q. How old a man was this Mr. Heath?—A. I should judge betweeu rty and forty years of age.

Q. Was he a man of family himself?—A. I did not see any family th him, or ask him about it.

Q. You say he was an intelligent man?—A. Yes, sir; really above e ordinary Northern darky.

Q. He told you his mission as you have stated it?—A. Yes, sir; and regretted very much that Perry and Williams had gone away the y before.

Q. He was seeking, he said, to provide homes for his people?—A. es, sir.

Q. What Republicans did he see about it?—A. He saw Elbert and artindale, as I understood.

Q. Did you direct him to any of them?—A. No, sir.

Q. Did Mr. Miller go with him?—A. Yes, sir; I think so.

Q. He said he wanted to find these various Republicans; how did ou divert him from finding those men?—A. We did not do it.

Q. He wanted to see those men; how did you prevent his following ut his purpose?—A. We did not prevent him.

Q. You persuaded him?—A. We did not, at all. We were in conersation with him, and he thought he was in the hands of friends.

Q. How was that?—A. We played Republican on him.

Q. In what way?—A. We gave him the ordinary Republican side of he story.

Q. You and Miller both?—A. Yes, sir.

Q. You talked with him all day?—A. Yes, sir; I did.

Q. And in your assumed capacity as Republicans you got this affiavit?—A. Yes, sir.

Q. And he thought you were Republicans?—A. Yes, sir.

Q. And he believes it to this day?—A. No, sir. He found out differntly before he got away.

Q. You are a Democrat?—A. Yes. sir.

Q. And it is the party of "reform," and all that?—A. Yes, sir; that the reason I got that affidavit. My conscience is not smarting me bout it at all.

Q. You say Heath was an intelligent man?—A. Yes, sir.

Q. Did he state the reason why he wanted to bring these people to diana or Kansas? Was he making any complaints?—A. No, sir. he said was that he was told they could get a house free, cow and f, and winter's provisions for a laborer in Indiana, and could buy d at $1.25 per acre and have four or five years to pay it in.

. He did not bring any of the families with him?—A. No, sir.

. He came to spy out the land?—A. Yes, sir.

. Do you think he would make a reliable report to his people of the dition of things in Indiana?—A. I do not know, sir, as to that.

. You do not think he would transmit false intelligence to his peowho were depending upon him for the truth?—A. I do not desire to ress an opinion on it. I think he is an honorable colored man, so as I know.

. Then, from at least one source, the colored people of the South ld be apt to get a proper report?—A. He did not dwell long in In-

diana. He went to Greencastle Monday night, and Tuesday morning, I understand, he was on his weary way to Kansas.

Q. And all the friends he found in Indiana were Democrats?—A. Yes, sir; until Monday, when he got into some Republican hands.

Q. Do you know where he is?—A. No, sir. I understand that at Greencastle they made up enough money to ship him to Saint Louis on his way to Kansas.

Q. Do you know where we can find him, probably?—A. No, sir; I have not seen him since the 23d of October. Then he was at Greencastle and went away the next day, I understand.

Q. He did not stay there to be buried by Mr. Russell, then?—A. No, sir.

TESTIMONY OF M. W. STACK.

M. W. STACK was sworn and examined, as follows:

By the CHAIRMAN:

Question. Mr. Stack, where do you reside?—Answer. Terre Haute, Ind.

Q. What do you do there?—A. I am chief of police of the city of Terre Haute.

Q. Have you noticed these colored folks coming in there from North Carolina?—A. I have, sir; most of them.

Q. What is their condition, generally?—A. They are very destitute, the most of those whom I have seen.

Q. What part of them have gotten employment since they reached there?—A. Very few of them have gotten anything to do, and those who have have not retained it.

Q. Why is that; if you can state it?—A. I know from several sources of four or five who had been employed, and in two or three days after had been discharged, and who have had no employment since. I know of others who sought employment for several weeks and who have not been able to find it. Eight or ten of them, perhaps more, have gotten work.

Q. Do you think, from your intimate knowledge of the laboring classes in Terre Haute, that there is any demand for this destitute labor there?—A. Not at the present time.

Q. None at all?—A. No, sir.

Q. Isn't it a fact that we have many people there who are out of work and cannot get it?—A. I think I could to-day command two hundred men at one day's notice in Terre Haute. I could get that many in twenty-four hours for any kind of work.

Q. And at pretty low wages?—A. Yes, indeed.

Q. How is it out in the country?—A. My knowledge of affairs in the country leads me to think there is nothing doing at this season to cause a demand for this labor. Those who are already there are doing nothing.

Q. What provision has been made for those emigrants who are not employed? How are they living?—A. There are a few of them who have had a little money, so one of them explained to me, and they rented a house. There are two others who have been there for some two months or more, one of whom has bought property and got a home there. These others are scattered around among the colored people where they live,

and some others have gone to a colored settlement five or six miles in the country.

Q. To Lost Creek?—A. Yes, sir; to Lost Creek.

Q. How did those old settled negroes take this influx of new ones?—A. In conversation with them, they say they do not like it.

Senator BLAIR. We have no questions for the witness.

On motion, the committee thereupon adjourned to Thursday, February 12, 1880, at 10.30 a. m.

FOURTEENTH DAY.

WASHINGTON, *Thursday February* 12, 1880.

The committee met, pursuant to order, at 10.30 a. m., and proceeded with the examination of witnesses.

Present, the chairman and all the members.

TESTIMONY OF HUGHES EAST.

HUGHES EAST was sworn and examined as follows:

By the CHAIRMAN:

Question. Where do you reside, Mr. East?—Answer. At Indianapolis, Ind.

Q. How long have you lived in Indianapolis?—A. Nearly five years; will be on the first of May.

Q. Where did you live before that?—A. At Bloomfield, seventy-five miles west of Indianapolis.

Q. Are you a native of Indiana?—A. Yes, sir,

Q. Have you lived all your life in the State?—A. Yes, sir.

Q. What has been your business?—A. Since I have been in Indianapolis?

Q. Yes, sir.—A. I have been a grain and provision dealer.

Q. Now, before you went to Indianapolis?—A. A few years before I left Bloomfield I was in the live-stock trade, and had some warehouses on the railroad, and dealt in pork. Before that I was a county officer.

Q. Has your attention been called in any way to the arrival of North Carolina negroes in our State recently?—A. Yes, sir.

Q. Have you had any talk with them?—A. I have had more or less conversation with some half dozen or more of them.

Q. Look at that paper (handing a paper to witness) and see if you can identify it.—A. Yes, sir; I recognize it.

Q. What is it?—A. It is a statement made by one Silas Isler, a colored man, whom I chanced to meet in the auditor's office in Indianapolis.

Q. How came he to make it?—A. He came in with one or two others, in company with a young man from the Sentinel, and said he wanted to make a statement, and I wrote this out just as he wanted it.

Q. Did he approach you on the subject, or you him?—A. I went down to the office to attend a meeting of citizens to invite Parnell to Indianapolis. I went into the auditor's office, and soon after these men came in there. I had seen one of them before probably, but not this gentleman who made the statement.

Q. Who was it brought them there?—A. A young man named Tarkington, I think, introduced these boys to General Manson and myself, and to perhaps one or two others. He *introduced* the subject, I think,

himself, saying the boys wanted to make a statement in reference to their situation; that they were out of money and needed relief.

Q. How old was Isler?—A. Some twenty-two or twenty-three years old.

Q. What degree of intelligence did he show?—A. About the ordinary degree for a colored man in Indiana.

Q. Who wrote that statement?—A. I did.

Q. Did you read it over to him?—A. Yes, sir.

Q. Did you write what he told you?—A. Yes, sir, as near as I could gather his ideas and embody them in language.

Q. You may read that statement to the committee.

The witness read as follows:

INDIANAPOLIS, IND., *January* 10, 1880.

I, Silas Isler, of Lenoir County, North Carolina, make the following statement: I am from the State of North Carolina, Lenoir County. I left home about five weeks ago with my father and mother, leaving my wife and child there. I lived with Mr. Alfred Canady, near La Grange, say four miles. I was induced to come to Indiana by the representations made by Sam. Perry and Peter Williams, both Republicans, who said there was plenty of work in Indiana. That men would hire us as soon as we arrived, right from the train, and pay us from $1.50 to $3 a day. That 400 or 500 houses were ready for us, all furnished for us, and we could get land at $1 to $1.50 per acre on seven years' time in any quantity to suit us, and that the women folks could get from $20 to $25 per month. I paid my way here from money made in picking cotton, and father and mother sold three cows, and horse and buggy, and corn and fodder, and all in the house but their beds, to get money to come on. I have only made since I come on five dollars, at 40 cents a day, and it is hard for father and me to make enough to live on in the plainest and cheapest way. We were better off in Carolina, and want to go back. They told us Indiana was Democratic, and they wanted us to vote the Republican ticket, for the Democrats "were using the offices for fraud and corruption." And Mr. Perry said, "We must all be Republicans; we want no Democrat negroes in the party going to Indiana; we want all the party to be strong hearted Republicans," and the people would take care of us. I was well treated in North Carolina, and so was everybody who behaved themselves, both white and black.

his
SILAS × ISLER.
mark.

Witnesses to signature:
J. C. TARKINGTON.
HUGHES EAST.

Q. Who attest that paper?—A. Mr. Tarkington and myself, but it was made in the presence, also, of General Manson, auditor of State.

Q. See whether you recognize that paper (handing another paper to witness).—A. Yes, sir; this is the statement made by Mr. Williams.

Q. What is his name?—A. Lewis Williams.

Q. Where was it made?—A. The same afternoon, and in the same building. He was an older man than Isler, and a man of some intelligence.

The CHAIRMAN. Please read that statement to the committee.

The Witness read as follows:

INDIANAPOLIS, *January* 10, 1880.

Lewis Williams, from Lenoir County, North Carolina, makes the following statement:

I, Lewis Williams, of my own free will, make the following statement: I am from the State of North Carolina, Lenoir County. I left my home in North Carolina about five weeks ago. I was induced to leave North Carolina by representations made by Sam. Perry and Peter Williams, both Republicans, and one or two others, who were also Republicans. These men said there was plenty of work in Indiana; that men would be ready to hire the immigrants as soon as they arrived, right from the train, *and pay* them from $2 to $3 per day for farming and for such other work as the men

could do. That there were at least 500 houses waiting for them all furnished and ready to receive them, and that provisions would be furnished for six or seven months gratuitously. That land would be furnished in such tracts as the immigrants might want, and that from six to seven years to pay for it in would be given, and that these lands could be had at from $1 to $1.50 per acre; and that women as cooks, chambermaids, and house servants, could get from $20 to $25 per month. All of those representations I have found to be untrue. There is no demand for labor, no lands for sale at the prices named, and no such wages as I was promised are paid. In four weeks I have been able to earn $8. I paid my own way to Indiana, but about three-fifths of the immigrants could not pay their way from Washington, and had to have it paid for them by parties in Washington, and were destitute of comfortable clothing, and when they arrived were in a suffering condition. The immigrants were told that they must vote the Republican ticket when they arrived in Indiana, because the Democrats had used their offices for fraud and corruption. We were told by Perry and Williams that we must all be Republicans; we want no Democrat negroes in the party, and they want all the negroes to be valiant-hearted Republicans. I was induced to believe the representations made by Peter Williams because he is my cousin. My observation leads me to believe that the colored people who have come from North Carolina to Indiana are far worse off than they were in North Carolina. Since I have been in Indiana I have met a good many Republicans, white and colored, and have been uniformly told that the State of Indiana is Democratic, and that the colored immigrants would be expected to vote the Republican ticket. These Republicans have told me that now, being in Indiana, I was a free man and could vote as I please, but I was as free in North Carolina as I am in Indiana. I am a married man and have a wife and two children to support, who are with me. While in Washington I was led to believe from conversation with white and colored people that the money raised to forward the destitute negroes to Indiana was furnished entirely by Republicans, and I know positively that in North Carolina no Democrat in any way helped to entice us from our homes, but advised us to stay, for they were certain we should be deceived. I am personally acquainted with Governor Vance, now United States Senator from North Carolina, and if he were in Indianapolis to-day he would shake hands with me as quick as he would with any man in the State, and I am willing to refer to him as to my character.

his
LEWIS × WILLIAMS.
mark.

Witness to signature:
JESSE C. TARKINGTON.

Q. You say he was a man of more than ordinary intelligence?—A. Yes, sir; he impressed me as a right sprightly colored man.

Q. Did you read that over to him?—A. No, sir; I did not. It is not written in my hand. It was written in the same room at the time, and the intelligence he evinced makes it certain he understood it.

Q. That seems to be a copy?—A. I do not know as to that. The original ought to be here, I think. I did not see him write it, but I had a talk with this man myself.

Q. Did he tell you he had made such a statement?—A. I do not recollect that he did. I told him what I had heard of it, and he said it was a truthful statement.

Q. What did these men say about getting away from Indiana?—A. That was the burden of their talk. They were very much discouraged, and evidently in need of aid. Indianapolis is a charitable place, but the great number of these people made it hard to furnish them with anything. They were praying to get home, and said if we would get them to Washington they would walk home.

Q. Have you seen many of them since they came there?—A. Yes, sir; not to communicate with many of them, but I have seen them passing on the street; passing our board of trade on their way from the depot up to the quarters where they were taken care of.

Q. Do you know how those who are not employed are living now?—A. Very few of them have any money, as I am informed by reading the colored paper there. They have a standing committee of colored people to look after these folks, and I understand they make an effort to take care of them.

Q. Mr. East, do you regard yourself well informed as to whether there is a demand in Indiana for more laborers than we already have —A. I think I am reasonably informed on that point.

Q. State your conclusions in regard to it?—A. I am sorry to have state that Indiana has a great many worthy poor people now who ca not get employment in her borders.

Q. They are no small number?—A. They are a great number.

Q. Isn't that fact forced upon the attention of the people every da —A. Yes, sir; of course. If a man is not so cold that none can appro him he hears these appeals for employment every day, coming fr worthy men.

Q. Isn't it true that worthy men and women are searching for (ployment daily to earn bread and clothing?—A. I think that has b true every year for several years past.

Q. And been especially so since the crash in 1873?—A. Probably a year or so it wasn't so great, but it had to come, and there has bee great deal of suffering since. There has been some little improvem for the last year.

Q. But there is still enough suffering to give everybody serious c cern?—A. Yes, sir; I have appeal after appeal to get men places a cannot do it.

Q. From your intimate knowledge of the situation, is not t immigration, however induced or caused, the greatest crime agai these poor colored people that you have ever witnessed?—A. I th it is cruel to the colored men—woefully so. I live in the north part of the city, on Illinois street, where these colored people are qu tered. I took a stroll with a Republican friend one day just to look them, and the scene was pitiable.

Q. How were they living?—A. They were lying about the church flo which a fire made comfortable, and the colored people and some wh people were trying to help them.

Q. How many of them were there?—A. I could not say.

Q. Any number?—A. A considerable number.

Q. Men, women, and children living there all together?—A. Yes,

Q. Eating and sleeping there?—A. I did not see them eating, bu think something to eat is brought there to them.

By Senator WINDOM:

Q. Where are these two witnesses, Isler and Lewis Williams?—A think they are there yet. I had not seen them for a day or two bef I left, but I think they are there.

Q. Were these statements of theirs sworn to?—A. No, sir.

Q. Why not?—A. Well, sir, nothing was said about their swearing them.

Q. They were brought in there by this attaché of the Democr Sentinel to get their testimony?—A. No, sir; I do not know anyth of the kind, sir.

Q. Why did you take the statement?—A. Because I was glad to duce it to writing in view of what was going on here.

Q. You did it for use here?—A. Yes, sir.

Q. Why didn't you reduce it to the form of an affidavit?—A. I wo ask the question whether an affidavit would be admissible? I know i in a court of record it would not be.

Q. I would like to have you explain more fully to the committee t while preparing the paper you thought it would be more likely t received as evidence if not sworn than if it was?—A. I do not s

ught so. I took it simply because I wanted to remember and have committee remember what these men had said in case they were ed here as witnesses.

. Do you know why you were summoned instead of those men?—A. o not think Senator Voorhees knew I had those papers when he mmoned me.

. Who were present when this statement was gotten?—A. General nson, auditor of State, and Mr. Maynard.

. Is Maynard a Democrat?—A. A Democrat; yes, sir.

. Who else was there?—A. This young man Tarkington.

. You three Democrats were there when you first heard that these n were to make statements?—A. I did not hear it.

. Who first introduced them?—A. I think young Tarkington introced them.

. Why did they come to you?—A. They did not come to me. I was re and met them.

. Could this colored man read?—A. I do not know. He said he ld not write, and I read it all over to him.

Q. You do not know whether the other man could read or not?—A. , sir. And in answer to your question why they were not brought re as witnesses I will state that it was not my province to bring anydy. They were anxious to get here, and I would have brought them I could.

Q. These affidavits were taken at the same time?—A. Those are atements, not affidavits. Yes, sir; they were made the same afternoon.

Q. You say you have heard a good many say that if they could only t to Washington they would walk back home?—A. Yes, sir; those o are not the only ones I spoke of.

Q. Who else?—A. Peter Drew is another. His statement is here, I elieve, though I did not see him make it. Another party made a statement to which he was qualified in the Sentinel office, some days after. I elieve those four are the only ones I have heard express a wish to come ack.

Q. How many were in that building you visited?—A. That church-uilding? I did not count them.

Q. How long had they been there?—A. I do not remember that.

Q. Were not they a very recent arrival?—A. I do not think they had een there but a few days.

Q. Was that the receiving room for them?—A. Yes, sir; I think it as regarded for a while as the place for them.

Q. That is where the colored residents were taking care of them?—. Yes, sir; but I think the trustees refused them permission to go to the church any more.

Q. That was the last arrival?—A. The last arrival, I think, remained the depot. I think the Independent News stated they were still in the ion Depot when I left, and their leaders were loud in their indigna-n.

. You spoke of the condition of these people as "pitiable;" do not h Democrats and Republicans contribute alike to their relief?—A. I not know much as to the condition of this particular charity.

. I speak now of this particular charity.—A. I think they do; but re is some prejudice against these people.

. Do you think it is such as to keep a humane person from helping ple in their pitiable condition?—A. No, sir.

Q. Have you heard anybody speak of it?—A. I heard General Manson say he had exhausted all his pocket change on them.

Q. How much change was that?—A. Some five or six dollars, I think. I heard Holloway say he had sent them a barrel of pork; also five dollars for their support.

Q. And General Manson gave them money?—A. Yes, sir.

Q. He is a Democratic official?—A. Yes, sir.

Q. And Holloway, a Republican official?—A. Yes, sir.

Q. Do you infer because Republicans gave them help and support, the exodus is therefore a political movement?—A. No, sir; I have not said any such thing.

Q. Do you infer because Republicans gave to them as charity, the movement is still a political one?—A. I think the Republicans and Democrats alike, in Indiana, will give to people whom they know to be suffering.

Q. But not for political purposes?—A. The Democrats and Republicans out there give pretty liberally for political purposes in Indiana also.

Q. Are the Republicans more liberal generally in such matters than the Democrats?—A. I have no idea that the Republicans are more liberal just now to these people than the Democrats, though the Republicans rather encourage it, and ask the people to come there.

Q. Are not the Republicans more friendly, as a rule, to the colored people than Democrats?—A. Yes, sir; I think they may be.

Q. They manifest the same feeling now toward them as before the exodus?—A. No, sir; I do not think their sympathy goes so far as to be wholly removed from the hope of political advantage from the exodus.

Q. Tell us why you think so?—A. I see the county of Marion, the county in which Indianapolis is located, the colored men have the balance of power, but the Republicans use them, and hardly ever give them any of the offices. They ask for office but never get it. The Republicans are very kind in their expressions, treat them nicely at election times, appoint some on the police, perhaps, but when it comes to the offices they do not give them any.

Q. Do the Democrats give them a chance at the offices?—A. We nominated one named Christie for an office, but he was beaten by the Republicans and their hostility to him.

Q. Do you know of any movement by Democrats from Indiana to North Carolina, in consequence of this exodus?—A. No, sir; I think there is none.

Q. Have you any information in regard to the importation of white people and voters across the line from Kentucky into Indiana?—A. I have this information: I read in this Independent News, a colored paper, where the editor took to task the editor of another paper for stating that this exodus movement ought to be counteracted by the importation of whites across the line; that the Democrats have the advantage now, and it would be a good thing to keep it.

Q. It was rebuking the Democrats for that proposition?—A. No, sir; it was giving us a warning.

Q. Do you know that this hue and cry was raised against these poor negroes in order to divert attention from and cover the importation of white Democratic voters?—A. No, sir; I do not think there is a word of truth in the statement.

Q. It has been reported as true to me?—A. Some men might have said that, but I do not know of any particle of truth in it.

Q. You said, I believe, that there is some improvement in affairs in Indiana the past year?—A. Yes, sir; some.

Q. Is it very great?—A. Yes, sir; that might not be too strong to say that it is great, because the depression before that was very great.

TESTIMONY OF GEN. M. D. MANSON.

Gen. M. D. MANSON was sworn and examined as follows:

By the CHAIRMAN:

Question. General Manson, where do you reside?—Answer. Indianapolis.

Q. How long have you lived in Indiana?—A. About thirty-eight years, sir.

Q. Where did you reside before going to Indianapolis?—A. At Crawfordsville.

Q. What circumstance made you change your residence?—A. I was elected auditor of State, and I removed to the capital.

Q. How long have you lived there?—A. Since last April.

Q. You are auditor of State at this time?—A. Yes, sir.

Q. How long did you serve in the lower house of Congress?—A. I served during the Forty-second Congress.

Q. I believe you likewise served during the war somewhere else?—A. I went into the military service the next day after Fort Sumpter was fired upon, and I resigned, on account of a wound received in service, December, 1864.

Q. Do you regard your acquaintance in Indiana as large and thorough as that of most men?—A. I have a general acquaintance over the State.

Q. Has your attention been arrested by this immigration of colored people into our State from North Carolina during the past few months?—A. Yes, sir.

Q. What first attracted your attention and caused you to give it any notice?—A. I saw notices in the newspapers of a contemplated migration of negroes from the South, but the first I knew of it actually was when this man Heath, of whom Mr. Baker spoke in his testimony, was in our office. That was about the 20th of October. I do not think there was any general movement of them into the State until November, and they have been coming regular ever since.

Q. Have you noticed them on their arrival?—A. Yes, sir. For the first few weeks the immigrants went up Illinois and Meridian streets; Illinois street goes up from the west end of the depot. Since that they have changed their tactics and go up Tennessee street. The State offices are on that street—corner of Washington and Tennessee streets. Quite a number of these folks were passing by about three weeks ago, and some of the boys on the street called at them and attracted some attention. I stepped to the door and asked what was the matter. One of the immigrants shook his finger over and said: "God damn you, we will show you after the next election whether you will holler at us."

Q. He seemed to know there was to be an election?—A. Yes, sir; and he was going to show those fellows at the State-house not to "holler" at them.

Q. Who was conducting them?—A. I do not know. They had guns with them; there was one gun about every fifteen feet in the squad.

Q. How many of them were men?—A. Less than half of them were men.

Q. They were men, women, and children?—A. Men, women, and children.

Q. How many of them were there?—A. A pretty large body of them.

Q. Have any of these people been about your office and the State house?—A. There have been a great many of them about there.

Q. What appears to be their reason for coming there about the State officers?—A. They seemed to think the State officers would send them back home from Indiana to get rid of their votes.

Q. The State offices are filled by Democrats, are they not?—A. Yes, sir.

Q. And these people came there to get sent back home?—A. Some of them have an idea that there is a fund there to be used to help them.

Q. What did you tell them on that subject?—A. I said we had no fund, and that the Democratic party, nor I, had anything to do with bringing them into the State, and we would do nothing to send them out of it.

Q. Were you present when Isler and Williams made their statements?—A. Yes, sir.

Q. Did they dictate them?—A. Yes, sir.

Q. What did they say about swearing to them?—A. They offered to swear to them but there was no officer in the building who could administer an oath. I do not think I could, because while I had the right to do so in certain matters of State, I do not think I could in other things. They would have been sworn, but there was no notary or the clerk of the supreme court there.

Q. Now, general, on this subject of charity—what is your experience on that subject?—A. Well, I think nearly every one who came to the office and said he was in a destitute condition got something. I know Governor Williams has been exceedingly kind to them.

Q. Hardly a day passes, does it, that they do not get something out of him?—A. I know his office is next to mine, and that none ask him without getting it.

Q. They are in a miserable, destitute condition, are they not?—A. Yes, sir; the most of them, but some of them are in good condition. This man Williams, who made the statement, had money enough to pay his way to Indianapolis and had five dollars at the time. He had understood that Martindale made a statement to a newspaper reporter that the Republicans would furnish them with money or work. He went to see him, and when Martindale came into the office he asked him for money or work. Martindale asked him what he followed; he said "farming," and Martindale asked why he did not go to the country and get work. He replied that he had been all around Indianapolis for a distance of ten miles and could get neither.

Q. Did the judge (Martindale) promise him any money?—A. No, sir; he did not give him any, or promise him any. The man said it would take seventy-five dollars to get himself and family back.

Q. What is your general opinion of the prospects at this time of negro laborers from the South, or laborers from anywhere else, coming to our State to better their condition?—A. I do not believe that the colored people can benefit themselves by coming to Indiana. While it is a liberal State, the people have never looked very liberally on the colored people. When the present constitution was adopted, there was a clause (No. 13) to prohibit colored immigration. Although the general con

stitution was only adopted by 20,000 votes, that clause was adopted by 80,000!

Q. Is it not true that while the school law is general on its face, it is almost a dead letter, because the people do not like mixed schools?—A. It was so at first, but I think, to some extent, that is dying out. I know of colored children going into schools, where there are not colored schools in proper distance. In Indianapolis we have a very fine colored school.

Q. Now, tell us, in your opinion (and nobody is better able to tell), whether there is a demand for labor, aside from the race of the laborers, at this time in Indiana?—A. There is not a demand for foreign labor at this time. There could be much more used than is there if it only brought capital with it. It takes capital to create such a demand. We have vast stone quarries and mines of coal to open, but it takes capital to manage that.

Q. Is there any idle labor in Indiana?—A. There is idle labor, and has been much of it for the last two years. I know a competent engineer, by the name of Scanlan, who has been many years employed in and about Indianapolis, and who has been exceedingly anxious to get a place in the new asylum building. He said he was destitute, and finally offered to work for board for himself and wife. He has been so pressed that I know Adjutant General Russ went around and raised money to pay his rent. I do not know whether he is in Indianapolis yet, or not.

Q. Is not your attention constantly called to people who are wanting work?—A. There is a great desire for something to do in Indianapolis.

Q. It has been sought to represent here that the people of Indiana are hostile to immigration. Do you know of any hostility there to the coming of any except paupers who become objects of charity? Is there any hostility to any man coming there who can support himself?—A. None, whatever. The people of Indiana gladly welcome all immigrants from all countries who can support themselves; but they are not satisfied to have paupers of any country, north or south, Europe or Asia, brought into the State and dumped upon them.

Q. We have a law against that, have we not?—A. I am not a lawyer, and I do not know as to that.

By Senator VANCE:

Q. The representations made here by witnesses from North Carolina, black and white, are to the effect that a common field-hand there averages, for the best hands, ten dollars per month, with rations, a house to live in, with firewood free, and the ordinary garden patches; and that women and children get from five dollars up to seven, eight, and nine dollars per month; now, I ask you if common farm labor is any better paid in Indiana?—A. No, sir; it is not, taking the year around. The ordinary price of labor, with board, is fifteen or sixteen dollars a month during the cropping season, running from the time they commence plowing for corn on until the oats are harvested. Almost anywhere that the farmers are gathering corn, they do it by paying by the bushel. I have had some gathered myself that way.

Q. How many hands do the farmers employ according to the acres of land they cultivate?—A. There are few farmers who have many hands all the year around. The best of our farmers employ three or four all the time during the cropping season. Nearly all the time else, they have no more than one or two.

Q. Suppose a man is employed at fifteen and sixteen dollars a month, and all that; has he a house and so on, as I described awhile ago?—A.

No, sir. The most of the laborers are young men, or they take something in the shape of land to work.

Q. These wages, then, include only board?—A. Yes, sir; and washing.

By Senator WINDOM:

Q. You think it is a lack of capital rather than a surplus of labor that makes the demand for laborers light in Indiana?—A. Yes, sir. We could employ more labor if we had more capital.

Q. Indiana is not a poor State, is it?—A. No, sir.

Q. Is there not a good deal of accumulated capital in the State?—A. I cannot say that there is. There are a number of people pretty well off in most of the counties; but the people generally are not rich.

Q. You say your people have no hostility to those who can support themselves?—A. Yes, sir; I say so.

Q. And you are willing to have people come there who have muscle?—A. Yes, sir; the people are willing and anxious to have people come in there who can make a living, either by labor or the use of capital.

Q. Do not the majority of the people who make an honest living do so by muscle?—A. Yes, sir, I suppose so, if you throw out these fellows who hang around the capitol.

Q. Do you mean the capitol of Indiana?—A. No, sir; I mean here—the carpet-baggers.

Q. Are you opposed to people coming to Indiana who bring their honest muscle and willing hearts, seeking to make a decent living?—A. No, sir.

Q. Are not these people from North Carolina of that class?—A. I do not know; it remains to be seen whether they are or are not.

Q. Are not these people able to make their way in the world if they are given a fair chance?—A. I do not know, sir, as there is much prospect of it when we have to run them into a poor-house as soon as they come there.

Q. Do not they come there with muscle?—A. Yes, sir.

Q. And did not you say that a man who had no money had better stay away?—A. I said if he had to go into a poor-house as soon as he got there he had better and ought to stay away.

Q. Your conclusion is, then, that the immigrant ought to have money before he comes there?—A. I think they ought to have money enough to support themselves until they can get work.

Q. Your judgment is if they do not have money enough to support themselves they had better stay away?—A. Yes, sir.

Q. What would you reply to the Irishmen who are flying from famine and oppression, if they should come to Indiana?—A. The Irishman can generally take care of himself.

Q. He generally votes the Democratic ticket, does he not?—A. Sometimes he does.

Q. You think if two or three hundred Irishmen were to come in there the Democrats would not "kick," or would they?—A. I do not think they would put on mourning. They have been very valuable citizens to Indiana, in the making of canals and building railroads.

Q. Do you think your people would object to any more of them coming in there?—A. I do not think they would try to bring them, and I do not think they would object if they did come, my dear Senator.

Q. Have you ever heard of a number of people coming into Indiana from Kentucky, about election time?—A. Yes, sir—in Republican newspapers.

Q. Did you ever hear of any Democrats protesting against it?—A. No, sir; I do not suppose they thought it was necessary to notice that charge. Our idea is that that charge is made as a counter-irritant.

Q. I am told that your charge as to the negroes is made as a counter-irritant to the one about the people from Kentucky?—A. I never heard of any such charge against the Democratic party, but I have heard that the Republicans have brought negroes over from Kentucky time and again.

Q. You stated that the colored men Isler and Williams dictated every word in those statements?—A. Yes, sir.

Q. And you think they were pretty intelligent men?—A. Yes, sir; but I have no doubt Mr. Maynard and Mr. East, who are scholars, changed the grammar somewhat.

Q. You say they dictated every word?—A. Yes, sir.

Q. Then, we will let that drop there?—A. Yes, sir; we will let it drop.

Mr. WINDOM. It was somewhat remarkable was the reason I spoke so closely of it.

The WITNESS. Yes, sir; these are remarkable times.

Q. Well, this man Heath—when did you meet him?—A. How did you get the information that I met him?

Mr. WINDOM. I was told so.

The WITNESS. I said that I did not see him at all.

Q. Did anybody telegraph to Lewman that this man was coming to Greencastle?—A. There was no such telegram sent to my knowledge.

Q. Was not a messenger sent there?—A. There was.

Q. Who sent him?—A. I sent him.

Q. How came you to send him?—A. I understood that Heath was in close consultation with Holloway and Denny and was going there to Greencastle to see the postmaster and make arrangements to import the darkeys; so I sent Mr. Baker to go and inform Lewman and Mattison of it.

Q. Did you hear he had made an affidavit?—A. Yes, sir.

Q. Did you see it?—A. No, sir.

Q. Did you hear what it was?—A. I had heard that he said the object was to get the negroes out of North Carolina in time not to be enumerated in the census, and into Indiana in time to be counted there.

Q. Who told you that?—A. My clerk.

Q. The one who made the writing?—A. Yes, sir.

Q. What directions did you give to this clerk as the body-guard of Heath?—A. He was not a body-guard.

Q. Well, forerunner?—A. Yes, sir; forerunner. I wanted him to go before and give the glad tidings to the Democracy of Putnam County.

Q. What did you tell him?—A. I am sorry, my dear Senator, but I cannot tell you now.

Q. Well, the substance of it?—A. I think I said to go and tell them that this man was coming, and that there was a scheme to import negroes into their midst.

Q. Did you tell him they were coming?—A. Yes, sir.

Q. And that he (Heath) was the advance agent?—A. Yes, sir.

Q. You did not tell Lewman how to palm himself off on this fellow as a Republican?—A. No, sir.

Q. You did not tell them down there how to receive him?—A. No, sir.

Q. Do you know how they did receive him?—A. Only as I have heard of it.

Q. This man whom you sent was the same one who had taken the statement from Heath?—A. Yes, sir; the same man.

Q. Did he tell you when he returned that he had communicated with Lewman?—A. Yes, sir.

Q. Did he tell you that Lewman told the man he (L.) was postmaster?—A. He said they met him at the depot; but I do not think he said that Lewman told him he was postmaster.

Q. Did he tell you of the conference between Lewman and Heath?—A. I think he left on the early train next morning.

Q. What did he report to you?—A. He reported that the darkey had got there and had been received by Lewman; but I cannot remember all that he said.

Q. What do you think, anyhow, of that conspiracy to cheat this poor darkey?—A. Well, I did not consider it of enough importance to think about.

Q. You thought it important enough to send a man ahead of him?—A. I thought it important enough to send a clerk to Greencastle, and he came back and said the fellow had gotten there.

Q. Cannot you remember anything more that he said?—A. Well, he stated that Lewman met the man, and Lewman told me afterwards that he did meet him and had gotten the papers, or whatever papers he had with him, from him.

Q. Did your clerk see the papers?—A. No, sir; but I have seen them since.

Q. What did Lewman tell you he told the man?—A. I do not remember.

Q. Did not he think it was a pretty good joke that he had deceived the negro and made him think he (Lewman) was a Republican?—A. He never told me that.

Q. He swore to it here?—A. He told me he took him to a hotel.

Q. Do you know of any one playing a trick on one of these men in your office and making believe he was a Republican?—A. No, sir; I do not.

Q. You heard your clerk and other witnesses make the statement yesterday?—A. Yes, sir.

Q. Do you recollect that in their testimony they said they played Republican on a darkey and got this statement out of him?—A. Yes, sir.

Q. You heard your clerk say he kept out of his (Heath's) sight at Greencastle, because he had played such a joke on him at Indianapolis?—A. Yes, sir. There are several offices in the auditor's department, and I am in the back part of the building and do not see the clerks always.

Q. I want to ask generally about how many there were in that squad which passed up by the State-house?—A. It would be nothing but a guess, and I would not pretend to say it would be correct.

Q. Give us an idea?—A. Well, I should judge, from the space they occupied, there must have been seventy-five.

Q. And you think less than half of them were voters?—A. I think there were not one-half who were.

Q. Do you think one-fourth were?—A. Yes, sir.

Q. What was the nature of the calls made to them from the State-house?—A. I do not know. I was at my desk, but there was a good deal of laughing from some of the young men on the sidewalk. They had been talking to them, I think.

Q. Were they making sport of them?—A. Yes, sir; I think so.

Q. *Do* you think it was emigrant himself who made that remark you

ed ?—A. It was a man in the crowd, near the middle of the proces-

. It was a little political jeering between the two parties ?—A. I did suppose so until this man made this remark, and then I supposed bought he was coming to Indiana to vote.

. Those were Democratic clerks who were about ?—A. There were nocratic clerks in the door, but I do not know whether these people the sidewalks were Democrats or not.

. May it not have been Democratic negroes who answered back ?—There are not many of that kind, and I do not think they would an-r back that way at the State-house.

By Senator VANCE:

. Will you give your reasons for believing that the negroes will be ter off in the South than in the North ?—A. Yes, sir.

. If you please ?—A. I believe that in the Southern States, where negroes were raised in the same community with the whites, the ites are kinder to them than they are in the Northern States where y have not mixed so intimately together as in the Southern States. seems to me they can do better in their old homes than in strange ates like Ohio and Indiana. When I was in New Orleans in 1876—November—there were some thirty or forty negroes there, of the ost intelligent class, who called upon the gentlemen from the North-n States. In talking with them I asked them why it was so many groes voted the Democratic ticket. One of them said that they were turally Republicans, and they looked to it as the party that freed d enfranchised them; that they had no quarrel with the Republican rty of the country, but that carpet-bag rule in Louisiana was intoler-ble; that it had confiscated twenty millions of dollars of their prop-rty. Major Bascom who was there (an Ohio man) said he was at the lection in East Feliciana Parish, and he never saw a quieter one. The lectioneering was done mostly by negroes. There was a Tilden and lendricks club of twelve or thirteen hundred members, and Governor Vickliffe headed the ticket, to whom the people, black and white, all el kind. I think the people of the South like them; they elect them o office, while such a thing as electing a colored man to office is unknown the North, except in one case—the city of Cincinnati. There a very spectable colored gentleman, named Williams, was elected. There was exciting election and a long ticket, but there were twenty-six hundred epublicans who stopped and took time to read the ticket and scratch s name.

Q. Did he fall that far behind the vote, or the vote of his party ?—Yes, sir.

By Senator WINDOM:

. When was that election in East Feliciana to which you referred ?—In 1876.

. I suppose you have never heard of any bulldozing or anything of t kind in Louisiana ?—A. I am surprised that you should ask me t.

. You have heard of it then ?—A. Yes, sir.

. You do not believe much of it ?—A. No, sir.

. Do you know of any troubles down there now ?—A. Not much ce they got rid of the carpet-bag rule.

. A good many of them have left there in the last few years ?—A. I not know.

. You think the great curse of the country is carpet-bag rule ?—A. s, sir; I *emphatically think so.*

Q. You do not believe any of those stories of bulldozing?—A. I do not believe much of it.

Q. You do not believe in "tissue ballots" either?—A. I have one, I think, from South Carolina that is called a "pudding ticket"—a Republican ticket.

Q. How are they fixed?—A. White men fix them and the negroes vote them.

Q. Do you justify the use of tissue ballots?—A. I do not know anything about the use of them. White men in the South, I suppose, are the same as in Minnesota. You like to carry your elections and so do they.

Q. We do not like to carry our elections by stuffing ballot-boxes.—A. We do not know about that. I have not been up there to see. Indiana does not do it, and still we like to carry the elections, and when we elect men we like to have them put in, and not counted out.

Q. You do not count out in Indiana?—A. No, sir; we do not count out anybody. We do not believe in the processes of Kellogg and the returning-board in Louisiana.

Q. And never stuff ballot-boxes?—A. The Democrats often protest against the Republicans stuffing the ballot-boxes, but I never heard of the Democrats stuffing any.

Q. And you do not approve of bulldozing, I presume?

The WITNESS. What is bulldozing?

Mr. WINDOM. It is going out with shot-guns, red shirts, rifles, and clubs, and riding around at night, killing and murdering people on account of their politics.

The WITNESS. Do you find that definition in Webster's Dictionary!

Mr. WINDOM. I am giving you my definition.

The WITNESS. I will say this, that I know of nothing of the kind, except as I have heard it produced here in Congress.

Q. (By Mr. WINDOM.) And what do you think of it, as thus produced?—A. I think they produced what is not true.

By Senator BLAIR:

Q. Do you understand that twenty-six hundred Republicans scratched the name of Williams in Cincinnati?—A. Yes, sir; that is my information.

Q. Do you think they were Republicans?—A. I do not know of any Democrats voting that ticket.

Q. How do you know that this falling off of his vote was due to his color?—A. He was represented to be the most respectable man on his ticket, and the falling off was therefore on account of his color, I suppose.

Q. What is your authority for making that statement—that "he was the most respectable man on his ticket"?—A. I make it from seeing it in the newspapers at the time and since. I do not know that any newspaper said it in so many words, but from what they said of him and the others with him, I judged so for myself.

Q. Why did you judge so?—A. I can give you no special reasons, except that I judged from my reading about him.

Q. Where did you read anything about him?—A. The Cincinnati Enquirer said before the election that he was going to be scratched, and all the papers said nevertheless he was a man of high character.

Q. The Enquirer is a Democratic paper?—A. Yes, sir; but there were notices of the case in all the other papers. I read the Enquirer *more* than the others.

. You saw some notices of the fact in other papers, though?—A. . sir.
. All the information you have on the subject you got from news- ers?—A. Yes, sir; and from politicians.
. Do not you know that he was scratched on account of his charac- and that it was charged upon him that he got money here in Wash- ton by swindling, and the colored men scratched him on that ac- nt?—A. No, sir; I never heard of that.
Ir. BLAIR. Well, that is the charge that was made against him.
he CHAIRMAN. I am well acquainted with that canvas, and I say I er heard of it any time or any where till now.
he witness was thereupon discharged.

STATEMENT BY O. S. B. WALL.

O. S. B. WALL arose and said: Mr. Chairman, I desire to make a tement upon that last point about Mr. Williams. Mr. Williams me here to this city and stopped here awhile to establish a newspa- r. He wanted to get subscriptions, and Mr. Douglass, Mr. Langston, d myself gave subscriptions. He went off and took the subscriptions his pocket. It was talked of freely, and I talked of it in Cincinnati hen I was there in the convention to nominate Hayes, and I have heard was talked about to him (Williams).
Q. (By the Chairman.) You think that accounts for his running be- ind his ticket?—A. I don't know, sir; I think it might have had an ffect of that kind.

Adjourned to Friday, February 13, 1880, at 10.30 a. m.

TESTIMONY OF HUGHES EAST.

WASHINGTON, D. C., *February* 13, 1880.

Committee met pursuant to adjournment and proceeded to take testi- ony as follows:
Present, Senator Voorhees, chairman; also Senators Vance, Pendle- n, Windom, and Blair.

HUGHES EAST was recalled by the chairman.

By the CHAIRMAN:

Question. Mr. East, have you any extracts from Republican news- pers on that subject?—Answer. Do you mean as to the emigration?
. Yes, sir.—A. I have a few extracts from some of the newspapers.
. From what papers?—A. From the Indianapolis Leader, the colored an there, and some extracts from the Vincennes Commercial. Here ne from the Commercial:

he colored people from the South who want work can get it in Indiana. Let them e with a boom.

nother one:

e believe that the negroes have a right, under the circumstances, to come to Indi- and we hope they will come in such numbers as to redeem the State from Demo- ic rule.

. What sort of paper is that?—A. That is a white paper.

Q. What sort of paper is the Leader?—A. The Leader is a Republican paper.

Q. What do you know of the manner in which a certain sum of money was being raised to bring a number of emigrants to Indiana who had been stopped here for want of means?—A. I have a statement here that about one hundred and fifty of these people were here in this city, unable to proceed. It is an extract from a letter of Mr. O. S. B. Wall, president of the Emigrant Aid Society. He says:

> We have about exhausted the resources of the charitable. These people have no sympathy with the exodus, as they are rebel sympathizers. We have hopes that the State of Indiana will help us.
>
> Yours, O. S. B. WALL.

That was published in the Leader, the colored organ at Indianapolis. Soon after that a dispatch was sent to have credited to the Baltimore & Ohio Railroad $625, and these negroes would come on. I am informed that the money was raised. The matter of raising the money was placed in the hands of a committee; and Mr. Wood, who is here, and who was a member of that committee, told me yesterday that the money was raised and the men came on.

Q. Does Mr. Wood know how the money was raised?—A. Yes, sir; he said Mr. Bagby had more to do with the matter than he had.

Q. That is all you know of the money branch of the case?—A. Yes, sir; I have heard a few other things, but that is about all.

By Senator BLAIR:

Q. You do not know anything about the raising of any money yourself?—A. No, sir; I did not help raise it, but I understood that it was raised.

Q. Where?—A. In Indianapolis.

Q. How much?—A. Enough to bring the men.

Q. What men?—A. This party that were here?

Q. You have simply heard that it was raised?—A. Yes, sir.

Q. Do you know of anybody in Indiana who was supposed to have assisted in raising it?—A. That is all I know about it.

TESTIMONY OF L. C. MORRIS.

L. C. MORRIS was sworn and examined as follows:

By the CHAIRMAN:

Question. Mr. Morris, where do you reside?—Answer. In Indianapolis.

Q. What do you do there?—A. I am a railroad passenger agent.

Q. Of what firm are you a member?—A. I am connected with Morris & Mills.

Q. How long have you lived in Indianapolis?—A. I have lived in Indianapolis five years; I was raised near there.

Q. How do you describe your business?—A. As a railroad passenger agent, to solicit emigration business.

Q. Are you employed by the railroads?—Yes, sir; all of them.

Q. Then you are in the railroad business?—A. No, sir, I am not; nor am I in that part of the firm of Morris & Mills.

Q. Mr. Morris, state to us what you know of money being raised to send negroes to Greencastle by Mr. Reynolds.—A. I learned that there *was a party* coming through, and I was interested in having them come

)o you think you were instrumental in getting them to go over ad?—A. I hoped to be so.
mean did you get them to go, or did Reynolds get them?—A. sir, I was talking to Perry and others to go over that road, and lds did not seem to care which way they went. I tried to influ- em to go over that road and they went.
dr. Morris, what number of tickets did he furnish you?—A. He t furnish me the tickets; he furnished me the numbers of twenty- full tickets.
Where did he get those tickets?—A. He purchased them there at 'nion depot.
He bought them?—A. Yes, sir.
With his own money?—A. I do not know, sir, where the money from. I saw him at the window, and afterward he came and gave e numbers.
He is the railroad transfer mail agent there, is he not?—A. Yes,

Employed under the government?—A. Yes, sir.
And you don't know whether he was buying those tickets with n money or somebody else's?—A. No, sir.
He did not tell you?—A. Nothing was said about the money part

And you did not feel sufficient curiosity to inquire?—A. No, sir; d only a few moments' conversation.
All you wanted, I suppose, was for the Vandalia Road to carry ssengers?—A. Yes, sir.
What conversation did you have with anybody with regard to the money was raised to enable Perry and Williams to come back shington City?—A. I think the first I knew of it was when the y was produced to get the tickets. It was handed to me, and I ed their tickets, checked their baggage, and they started East.
Who handed it to you?—A. My brother, V. K. Morris.
What was said at the time?—A. Nothing was said at the time;

and he got there in time to telegraph here to send them on to Baltimore, which was done.

Q. You understood that they were to return here on emigrant business?—A. Yes, sir.

Q. And that money was furnished to help them on in it?—A. I do not know, sir.

Q. Money was furnished them to come to Washington?—A. Yes, sir.

Q. State whether you ever had any communication with or from any member of the State Central Republican Committee, or anybody employed by them, on the subject of this emigration business.—A. I do not know certainly; I believe there was a gentleman who clerks there, who came down and inquired of me how much it would cost to send these people to Greencastle and Terre Haute.

Q. What was his name?—A. J. W. Horton.

Q. You say he clerks for the State Central Republican Committee?—A. Yes, sir.

Q. Is he a full clerk there?—A. I think he is a deputy clerk.

Q. Well, he is employed there anyway?—A. Yes, sir.

Q. And he made inquiry to know what it would cost to send these people to Greencastle and Terre Haute?—A. Yes, sir.

Q. Was that before or after this lot was sent?—A. It was before.

Q. Did you tell him?—A. Yes, sir; I gave him the rate.

Q. Did he make a memorandum of it?—A. No, sir; I think not.

Q. Did the conversation between you stop there?—A. No, sir; we talked on in a general way as to the number that were coming, and all that.

Q. What did he say?—A. He asked how many I thought had gone out, and how many would come. That was about the substance of it.

By Senator BLAIR:

Q. How many colored people have come to Indiana in this exodus movement?—A. I am not aware, but I should judge some seven or eight hundred.

Q. What has become of them?—A. They are distributed around among the counties near to our county.

Q. Among what kind of people?—A. Among Republicans.

Q. I mean, are they among farmers or manufacturers?—A. Farmers principally, if not wholly.

Q. Have they pretty generally found employment?—A. Mr. Perry stopped there at my office pretty generally, and he told me they had done so, and so did others.

Q. To what extent have they been employed?—A. I do not know as to them all; I know but few of them personally; there are only a few who have employment that I know personally.

Q. Do you understand that they have pretty generally found employment, and will get along, or are they in a church out there starving, as has been stated here?—A. My understanding is that they went away into the country mostly and were provided for.

Q. Are there any of them who are in the church now?—A. I am not aware of any who are in the church.

Q. You think that those in the State outside of the church are doing well?—A. I have heard of some exceptions, but generally I think they are doing as well as could be expected, considering how they came there.

Q. Did you say that there are none in the church there now?—A. I am not able to say; there are none who are out of employment that I *know of* personally, except those in the church.

Q. How many are at that church?—A. I could not say, but I should infer there must have been over a hundred at the time I left. Eighty-seven came in at one time, and there were some children who were not enumerated.

Q. That is their headquarters?—A. Yes, sir.

Q. It is sort of like the emigrant headquarters, I presume, in New York City?—A. Yes, sir.

Q. Are the arrivals continuing?—A. The parties are not so numerous as they were, and there are not so many in the parties when they arrive now.

Q. Do you know of any expected increase in the numbers arriving?—A. I do not.

Q. Do the Republicans and others generally expect any increasing influx of them?—A. I do not know anything about that.

Q. What are the chances for the Republicans carrying the State if the people get there before the first of May?—A. I do not think that will be dependent upon these colored people.

Q. You do not think that the Republicans are dependent on these people to carry the State?—A. I do not think they are.

Q. Do you know of any more who are to come?—A No, sir; I am not aware of any.

Q. Then the contributions that were made, if any were made by Republicans, were for the purpose of taking care of these people there who were suffering? And then you know of the payment for those twenty-seven tickets to Greencastle?—A. Yes, sir.

Q. Was not that in the nature of a charity?—A. I suppose so, as they had to be supported somewhere.

Q. Either there or in Indianapolis?—A. Yes, sir; but I do not know where the money came from.

Q. I asked you if the use of that money to send these people to Greencastle was not really a charity?—A. I do not know whether they had any money or not; I think some of them had; one man, I heard, had $1,200 and another had a large sum of money.

Q. What was the object of buying tickets for these people if they could buy them themselves?—A. I understood they bought the tickets for the poor and needy.

Q. Then it was a charity?—A. Yes, sir.

Q. Is it not a fair inference that the buying of these twenty-seven tickets under the circumstances was a charitable act?—A. Yes, sir; it was if they were needy and could not buy them themselves.

Q. So far as you are concerned you acted entirely in a business way?—A. Yes, sir; entirely.

Q. You did not act for political reasons?—A. No, sir.

Q. You spoke of a clerk at the Republican committee headquarters?—A. Yes, sir.

Q. You say that he talked to you?—A. Yes, sir.

Q. Do you talk with Democrats?—A. Yes, sir.

Q. Then you did not mean to say that he connected the Republican party with this movement, because he talked to you?—A. No, sir; I did not mean to be so understood. I do not connect the conversation with the central committee at all.

Q. So far as you know and believe, is the exodus of the southern negroes a political movement?—A. Originally I think it was not.

Q. What is it now?—A. I think it is.

By the CHAIRMAN:

Q. In speaking *of Mr. Horton, you only* meant to state the fact that

a deputy clerk of the Republican State central committee of Indiana came down to you and asked you how much it would cost to send these people to Greencastle and Terre Haute?—A. I meant to say that Mr. Horton came up only as a gentleman who knew me and asked me that question.

Q. You think he left his clerkship behind when he came to you?—A. I do not know, sir.

Q. He did not tell you so, did he?—A. No, sir.

Q. You are about the depot most of the time, are you not?—A. Yes, sir.

Q. I have a copy of the Indianapolis News, of the 31st of January, 1880. Is that a respectable paper?—A. I believe it is; it often says things, however, that I do not agree with.

Q. It is the evening paper, is it not?—A. Yes, sir.

Q. I see an article here wherein it says that "the party of negroes which arrived here last night are still in the waiting room at the depot," &c.; is that the party you referred to as arriving? Or do you remember of a crowd being huddled up there for two or three days?—A. Yes, sir; I think there was a crowd came in there, and staid several days. But if they remained longer than Saturday I did not know it.

F. A. ARNOLD, sworn and examined.

By the CHAIRMAN:

Question. Where do you live?—Answer. Greencastle, Ind.

Q. What is your occupation?—A. I am a newspaper publisher.

Q. Of what paper?—A. The Star.

Q. Have you given some attention to this emigration of colored people into your county?—A. Well, my attention was first called to it by articles published in the paper called The Banner, published in our town, perhaps at the beginning of the summer, and I felt some interest in the matter; looked after it a little in a business way; made some inquiries in regard to it, and accidentally heard that circulars had been printed in our town and sent to the South encouraging this emigration. I endeavored for some time to obtain a copy, but failed. I believe the first copy of the circular that I ever read was furnished me by the sheriff of our county, Mr. Lewman, probably in December. They had been printed as early as June, if I remember aright.

Q. Here are the articles which have been produced before the committee.—A. I understand that you have them here in evidence.

Q. I have a statement here, which appears to have been published in your paper, which I would like you to look at and see if you identify it as true of your own personal knowledge? (Handing witness a paper.)—A. (Examining.) Yes, sir; this is an interview with some of those colored people who called at my office, and obtained money to go home with.

Q. An interview with whom?—A. Well, there were four of those colored people from North Carolina, and a man by the name of McMerrick was rather the brighter of the four, and he was spokesman for them.

Q. Were they talking with you?—A. Yes, sir.

Q. Is their conversation faithfully reported in that article?—A. Yes, sir; the substance of it. It is not in their dialect.

Q. I wish you would read that article.—A. This interview was on the first Monday in December, if I remember aright, and the weather was rather cold.

We were going to Kansas, but circulars were sent to our country from Greencastle,

aying we could get good houses there. Our delegates Perry, and Williams, hom are teachers and preachers, came back and told us that there was e for 10,000 colored people or more. They said that the people of Putnam ould furnish work for the colored people at $15 and $25 a month, cow and en, and wood to burn. I arrived; have no home furnished me, and "boss" n't do anything more for us. I have a family in South Carolina, and tele- hem not to come. In the South I can make a better living than I can here, eezing to death. We have nothing to wear but the clothes we have on; no hing; no overcoats; no warm shoes or stockings, and no money. The men graphed back to Carolina want to go there, where they have work, homes, weather. I seen the circulars from Greencastle that were sent asking us to here. Massa Langsdale took charge of us at Indianapolis and brought us to le. In the South we got $7 to $8 a month, house to live in, and ground to len stuff, corn, potatoes, &c., and an extra acre or two sometimes; and the n work there, too, in the fields and help support the children. They prom- y our way back if we did not like it here, but they won't keep their prom- 't give us homes, nor send us home.

her darkies in the party seconded McMerrick's story all the way through, and r a chance to take the back track.

Saturday afternoon previously, a number of these colored people ne to Vandalia depot, and had made up a pony-purse to carry ck to North Carolina.

ere they soliciting money from you to help them?—A. Yes, sir.

o you know whether they succeeded in raising money enough to hem back?—A. Well, I think not; when they came to my office d a written petition soliciting contributions. I think, perhaps, d a dollar or two subscribed. A few days afterwards, one of ntry correspondents wrote me that four colored persons, answer- description of the men who had been at my office, were tramp- tward, with the intention of going back to North Carolina—as ed it, kicking sand.

id you have other interviews with others of these emigrants?—l, I do not remember any. I may have had casual interviews em—talking with them on the street. Nothing of importance, r.

hat do you say on the subject as to whether there is a demand r for the emigrants in Putnam County?—A. I do not believe any demand for it. I think there is more labor in our county ere is capital to employ it. We have much spare land, but no to work it. Men have to subsist while they work it.

ave you observed whether any of these emigrants are out of em- nt?—A. Many of them are out of employment. I see them g on the street corners. I do not know how many. I have in ket a copy of The Banner, the paper which first encouraged this ent, containing a correspondence from Fillmore, situated in the ip east of us, in which the correspondent says—I do not remem- exact language—the paragraph is this:

is in a fine condition now. Corn ground is very scarce; a great many are un- ecure what they would like to put in corn.

By Senator BLAIR:

hat is the date of that?—A. The 29th of January. I have re- it since I have been here.

By the CHAIRMAN:

s there any other point, Mr. Arnold, on which you wish to be n regard to this subject?—A. I do not know of anything special.

TESTIMONY OF GENERAL GEORGE W. RUSS.

General GEORGE W. RUSS sworn and examined.

By the CHAIRMAN:

Question. You may state your name and residence.—Answer. George W. Russ; Indianapolis, Ind.

Q. What is your profession?—A. I am adjutant general of the State.

Q. State whether you have given any attention to the emigration that has taken place of colored people into our State from North Carolina.—A. I have, since I learned of the fact that negroes were being brought into the State.

Q. I will ask you whether your acquaintance with the neighboring people of Indianapolis and Marion Counties, and the parts thereabout is general and full, or otherwise?—A. I am quite well acquainted with the laboring classes in our city and elsewhere over the State.

Q. What do you say as to whether there is a demand for labor that would call an emigration there at this time?—A. I do not think there is any demand at this time that would demand destitute people of any color or class.

Q. You think there is no demand for laborers in our State, even though they were willing to work?—A. No, sir.

Q. Is it not true that we have a great many idle people there who are disposed to work and cannot get it?—A. A great many; I have seen a great many.

Q. Have you looked into the question of the employment of these emigrants since their arrival?—A. I only know what they have told me when they called at my office.

Q. What have they told you?—A. There have been a great many at my office who said they failed in getting employment. Resident colored men have also called on me and denounced the movement, stating that there was no occasion for colored people coming there; that is, people in their condition, their financial condition.

Q. You mean by that that the resident colored people are opposed to this emigration?—A. Some of them are.

Q. There are politicians among the colored people as well as amongst the white people, are there not?—A. Yes, sir; some pretty shrewd ones.

Q. Well, how is it on that point? Do the colored politicians oppose or favor this emigration?—A. I think, Senator, with few exceptions they oppose it.

Q. Who do you rank as the leading politicians of the colored folks at Indianapolis?—A. Dr. S. A. Elbert, Moses K. Broyles, James S. Hinton, and R. B. Bagby.

Q. You named Dr. Elbert, Bagby, Hinton, and Broyles?—A. Yes, sir.

Q. Now, what is their position on this exodus of their race from North Carolina?—A. I think, with the exception of Bagby, the others whom I have named are doing all they can to assist this emigration.

Q. To promote it?—A. Yes, sir.

By Senator BLAIR:

Q. That is, the leaders of the colored people there?—A. Yes, sir; with the exception of R. B. Bagby. I suppose he objects.

By the CHAIRMAN:

Q. You misunderstand me or I you. I asked you whether the leading politicians of the colored people of Indianapolis were in favor of or *opposed* to it?—A. I said with a few exceptions. I named all the ex

ceptions and the leading politicians. I answered you, and said that I thought those whom I have named were in favor of it except Bagby, and he is opposed to it.

By Senator BLAIR:

Q. So that your statement is that the colored politicians are opposed to the exodus?—A. No, sir; I have named the colored politicians. Did you ask me for the colored politicians?

Q. I said the colored politicians.—A. I thought you said the colored population. I would have to answer that the majority of them are. They seem to be.

Q. Hinton is quite a leading man?—A. Yes, sir; about the only colored man who got a place under the Republican party while they were in power in our State, the only one who got a place of any prominence.

Q. Now, if I understood you correctly, the politicians of the colored race are disposed to favor this movement, while the body of their people are not as favorably inclined to it?—A. I think the large majority of the colored people of our city are opposed to it.

Q. It is taxing their charity to the utmost, is it not?—A. They are complaining bitterly.

Q. Do they complain upon that point?—A. Yes, sir.

Q. Have they talked to you in regard to it?—A. Yes, sir; a great many of them or quite a number.

Q. Well, how do they put their complaint?—A. They say that they are a poor people, they have too little to live upon themselves, and to tax them with providing houses and sustenance for the emigrants is more than they can afford.

Q. How do those colored people now residents at Indianapolis—I ask for information—how do they account for this avalanche in their midst of their colored brethren from North Carolina?—A. A great many of them seem to be anxious to know the cause and ask me such questions, if I knew. I tell them I do not; I only had an opinion. Others have expressed opinions as to the cause.

Q. Do they in any respect look upon it as a political fraud?—A. Some of them do. One colored man, quite an intelligent man among them, has been quite independent in his politics, but is classed as a Republican, told me that he was a member of the relief committee appointed at a meeting of the colored people; that they had a suspicion that other parties were operating in this, that is, that they were interested in bringing the parties there and proposed making this committee responsible for their relief or protection while they were there, and consequently responsible for any suffering. They appointed James S. Hinton, so he informed me, who was a member of the relief committee, to visit the Republican State central committee room, to learn, if possible, if there was any other arrangement that they were not aware of. The informatien that Hinton reported to the committee was that at the State central committee rooms he was informed that Mr. Byrom, Hinton, and McKay were acting for the committee.

The CHAIRMAN. My attention was diverted for a moment.

The WITNESS. This relief committee appointed James S. Hinton to visit the Republican State central committee rooms, and learn, if possible, if anything was being done that this committee was not aware of, any moneys that they were collecting that they were not handling. He informed me that Hinton reported to the comm tee that he was informed at the Republican State central committee ro ms that Mr. Byrom, of In-

dianapolis, and Captain McKay, were acting for the State central committee.

Q. Byrom and McKay, who are they?—A. They are both city councilmen—prominent men in our State.

Q. What color are they?—A. White.

Q. What is the color of their politics?—A. They are Republicans?

Q. What were Byrom and McKay doing in these movements?—A. This committee were informed—so he told me—by Byrom and McKay, that Moses K. Broyles, colored, and S. A. Elbert, also colored, were handling the funds. They notified both Byrom and McKay—so he informed me—that they refused to act longer for other colored men who were handling the money collected.

Q. Now what money was he alluding to that was collected?—A. That I do not know. I am only giving you the information that he furnished me. This committee appointed by the colored people refused to act longer as a relief committee unless they had the handling of the funds, the money collected, or the money used. This colored man who told me said he would not act no longer on a relief committee if they had to bear the burden, and if they could not use the funds they refused to act longer.

Q. Have you any objection to giving the name of your informant?—A. W. H. Woods.

Q. General, if you have an opinion that this is a political movement on the part of certain prominent Republicans in Indiana to get colored voters in there to control elections with, you may give the reasons that have led you to such a conclusion?—A. At first, Senator, I did not think it was a political movement; I thought it was got up by colored men to make money from the railroad companies, but from what I have learned since, and conversations that I have had with white and colored Republicans, I have changed my opinion, and am now of the opinion that it was a political movement at that time.

Q. Well, are there any points that you desire to give as bearing upon your change of opinion, and as causing it?—A. In conversation with different parties who came into the office, invariably I found Republican politicians favoring it. I saw a subscription list for the purpose that had been taken around by a colored man, upon which were the names of the prominent Republicans of our city, subscribing from $5 to $10 each—I believe $10.50; and I have failed to see the name of any Democrat. I asked this gentleman why he did not call upon Democrats, and he said that he had instructions not to do so.

Q. Did a good many colored men talk with you?—A. Permit me to say that I am considered quite a friend of theirs in Indianapolis. I was on Mr. Hinton's bond when he was State commissioner, and I have done a good deal of work for them. I have helped and labored, and I suffer for it to-day.

Q. So that there is not a very marked hostility between you and the colored people of Indianapolis?—A. No, there is not.

By Senator BLAIR:

Q. They helped a little in preserving the Union in the late unpleasantness?—A. I have always been of the opinion, Senator, and it was my opinion then, that we could have had all the honor of putting down the rebellion without their assistance.

Senator BLAIR. Very likely; I do not want to interrupt the examination.

By the CHAIRMAN:

Q. You say they came and talked with you, general; did not all of

the emigrants come and talk with you on this subject?—A. Yes, sir; there have been several in there begging money.

Q. How did they seem to be pleased with their new homes?—A. Some seemed to be very much displeased; some seemed to be very anxious to get back to their old places.

Q. Recurring again to its political character, have you ever seen a Republican newspaper oppose this emigration or advise against it?—A. I have not.

Q. Is it not true that where they do not directly encourage it, they abuse the Democrats for opposing it?—A. Yes, sir.

Q. There used to be an old term applied to the Democratic party, charging it with sympathizing with the rebellion; how would that term describe the attitude, in your opinion, of the Republican party in encouraging the emigration of the colored people into the State of Indiana, taking the principles of the leading men of the town and the conversation among them as to the immigration of North Carolina negroes into our State; that is to say, do they not, as a general rule, sympathize with the movement?—A. I think, Senator, that the sympathies of the Republicans in Indiana with this movement are much stronger, much more universal, than were the Democratic sympathies for the Confederate cause.

The CHAIRMAN. Yes; I have not a doubt of it.

Senator WINDOM. He is stating it pretty strong.

By the CHAIRMAN:

Q. I hold in my hand a paper that it seems to me I have not seen before, the Indianapolis Journal, dated Saturday, February 12. It is a paper that has just been laid down before me; consequently, you and I cannot be charged with having concocted the production of this testimony, because you have not seen it, nor have I, and I have not had time to read the whole article. You identify this as the Indianapolis Journal of February 12?—A. Yes, sir.

Q. An article headed, "Our colored citizens; a meeting at the Colored Baptist Church last night. What has been done by the North Carolinians, and where the help came from." It is a long article, and states how the amount was raised and how it has been expended, as follows:

The mass meeting held at the Second Baptist Church (colored) last night to consider the workings of the relief societies among the colored immigrants was well attended. Rev. Moses Broyles presided. The business of the evening was the report of the Emigrant Aid Society. At the close of the meeting Mr. Burley, of Bloomington, Ind., engaged several of the immigrants to go to Monroe County to work on farms. The following is the report of the committee:

"On Wednesday evening, December 3, 1879, a meeting was held in the lecture room of the Second Baptist Church to organize an aid or relief society to care for the colored emigrants, as we learned that some of them were on their way here from North Carolina, and that they would arrive here destitute. After the preliminary organization of the meeting, the object of the same being stated, on motion it was voted that a society be organized to-night for the purpose of helping and caring for those people when they arrive here, similar to and in co-operation with the relief society which was organized at the A. M. E. Church November 24. It was further resolved that the organization be known as the Christian Emigration Aid Society, Rev. Moses Broyles, president; Rev. Wm. Singleton, vice-president; Mr. G. W. Prince, secretary; Mr. Conrad Burley, corresponding secretary; and Rev. J. R. Raynor, treasurer, with the other three Baptist ministers, viz: N. Simons, Thomas Smith, and C. C. Wilson, honorary officers, as they brought their churches into the organization. The society organized with the representatives from the six colored Baptist churches of this city. There was also an executive committee appointed to co-operate with the other officers of the society, consisting of two members from each church, Messrs. R. B. Turner and B. Rankins, of the Second Church; Messrs. Jesse McCrochlin and Thomas Pentacost, of the Mount Zion Church; Messrs. Wesley Jackson and Stephen Williams, of the New

Bethel Church; Messrs. David Tucker and Wm. Whitehead, of the Olivet Church; Messrs. Siah Russell and Solomon Moss, of the Tabernacle Church; Messrs. Thomas Durham and Charles Williams, of the Calvary. All these officers and ministers constitute the executive board of the organization. This board has been holding weekly meetings since that time, and appointing sub-committees to meet the people at the depot, and see that they are cared for. On the night of December 4 eighty-seven immigrants arrived. Although fifty had gone on to Greencastle several weeks previously, these eighty-seven were the first who stopped at Indianopolis. Although the arrival of these found our society without money or provisions, the churches, committee, and ministers sent provisions to them, and a committee of ladies prepared a nice breakfast the morning of December 5, and our committee went to the committee of the relief society of the Vermont Street Church and informed them that we were prepared to take care of half of those people who arrived. Accordingly they were divided, half of the emigrants remaining at the Vermont Street A. M. E. Church and half came to the Second Baptist Church. From that time up to Christmas, there arrived in the city 460 emigrants from North Carolina. These were about equally divided between the two societies, who were about equally efficient in providing and finding them homes and employment. About the 20th of December, the people taken care of by the relief society at the A. M. E. Church were removed to the Blackford Street Zion Methodist Church. December 24 the Christian Emigrant Aid Society rented the hall on the corner of California and Pratt streets and removed the people from the lecture room of the Second Baptist Church to that place, where those who have arrived since have been temporarily quartered until they found homes and employment. About that time the relief society ceased entirely to meet and call for the emigrants as they arrived in the city. The two hundred who arrived on New Year's eve were provided and cared for by the Christian Emigrant Aid Society. Six hundred and twenty-five emigrants have arrived since the relief society ceased to help them in any way. This burden has since that entirely fallen upon the Christian Emigrant Aid Society. Since that time this society has had an average of from twenty-five to two hundred emigrants. This has been very heavy upon this society, the members of which are all poor. As before stated, the society was without money when the first emigrants arrived. The churches and committees brought in provisions abundantly for the people for the first few days. Then the churches commenced holding prayer meetings among the emigrants. As they (the emigrants) were good revival singers and prayers, many people came to hear them. At the close of these meetings we lifted collections, all of which amounted to $50. About the same valuation in provisions were given by the churches and friends, so that up to the 17th of December we had collected through the six churches $50 in money and $50 worth of provisions and clothing. On the evening of 17th December the board met, and seeing that the churches were unable to support the emigrants who were abundantly coming, appointed a soliciting committee to go out into the city and collect money and provisions. The soliciting committee consisted of Mr. Conrad Burley, Rev. J. R. Raynor, Rev. Anderson Simmons, Rev. Wm. Singleton, Rev. Moses Broyles, Rev. E. C. Wilson, and Rev. Thos. Smith.

This committee has collected in money	$246 85
Money raised by the churches	50 00
Total raised	296 85

Which has been expended as follows:

To 2 months' house rent	$12 00
To 5 stoves for emigrants	23 14
To cooking and washing things	3 50
To carpenter work and materials	5 14
To washing and other help	3 50
To lamp-oil	4 40
To cleaning up the church	3 25
To whitewashing same after they left	3 00
To lamp-oil and candles	5 15
To meat and salt	53 15
To bread and meal	45 25
To railroad fare	53 75
To hominy	10 15
To beans	11 40
To wood	25 25
To coal	29 50
To sugar and coffee	6 25
Total amount paid out	296 85

Balance, nothing.

The above is what has been collected and expended. The society is indebted as follows:

To Thomas Nelson for wood	$4 00
To Wm. Porter for wood	3 50
To T. Eames for meat	4 60
To Louis Weasner for groceries	3 88
To Geisensanner for bread	4 50
To Mr. Amsley for meal	50
To house-rent due the 24th instant	6 00
Total indebtedness	23 98

"The means of the society are entirely exhausted, and we need only the money to pay indebtedness, but there are families in the city who need help, and we ask a generous public, in behalf of humanity, to help the society to prevent those people from suffering until they can find employment. They came here expecting to obtain remunerative employment. Just so soon as they are so employed, they don't have to be helped. The society has not, directly or indirectly, expended a cent in aiding a single emigrant to come to the State or city, and it is determined not to spend any in that way. There has come into the State from North Carolina, since they commenced, 1,135, including women and children; about one-fourth of these are men."

Senator BLAIR. What date is that?

The CHAIRMAN. This is Saturday, and it falls under the notice of this Emigrant Aid Society.

Q. (To the witness.) You would concur in that statement from your knowledge?—A. Heartily.

Q. Do you regard it as a kindness to the colored race for them to be taken to Indiana in the winter time and quartered there at Indianapolis upon the charity of their own race and the white race, in the present condition of our labor system?—A. I consider it a very great outrage upon our people, and also upon those negroes who were sent there.

By Senator BLAIR:

Q. What is your official position in Indiana?—A. I am adjutant-general of the State.

Q. Your political sentiments are Democratic, of course?—A. At present they are.

Q. How long have you been a Democrat?—A. Since plundering, and robbing, and whisky-rings, and carpet-bag rule in this country.

Q. Can you fix the date when you experienced this change of political sentiment?—A. When I became convinced that I was on the wrong side—immediately. I was four years, I think, in changing my opinions.

Q. About when did you commence to act with the Democratic party?—A. In 1876.

Q. When did this robbing, plundering, and so forth, which you mention, occur in the Republican party?—A. Well, there was a good deal of it during Grant's first administration, and a great deal more of it in his last administration.

Q. It commenced in 1876?—A. I voted for him twice, however.

Q. Well, to leave that part of it, allow me to ask you if you yourself have taken considerable interest as a Democratic politician in promoting this investigation?—A. Not as a politician.

Q. As a Democrat?—A. Individually, I have.

Q. You have been anxious for the investigation, have you?—A. I have been anxious that the facts should come out.

Q. You have spent considerable time in making inquiries and procuring evidence for its presentation here, have you not?—A. Nearly all of it came to my office without solicitation.

Q. It sought you, then?—A. Yes, sir. If I am not mistaken as to the reputation I have in my city, any one who is in a suffering condition or imposed upon would come to my office who knows me.

Q. Not in relation to your political sentiments at all?—A. Independently of those.

Q. So that your connection with or the knowledge you have of this exodus in no sense results from your interested political character as a Democratic politician, but rather as a humanitarian?—A. Both.

Q. To what extent do you think that you have been identified with the political aspect of this investigation?—A. When I became satisfied in my own mind that the Republican party was perpetrating this outrage, or interested in it, or encouraging the immigration of these poor, ignorant, destitute people into our State, I then took quite an interest against the party.

Q. When did your conviction come that the Republican party was encouraging it? How long—a week ago?—A. Perhaps a month ago.

Q. And since that time you have been making active investigations as a politician into it?—A. No, sir; not as a politician.

Q. I do not use the term in an offensive sense. We are all politicians, or want to be.—A. I felt this way: If it could be proved that the Democratic party was responsible for this exodus, I was willing to lend any aid I could to convict them.

Q. I wanted to get your real animus. Now you state that at some time you were persuaded that it was a political movement, but I have not understood you to state any very definite evidence of it. Will you not state the evidence, not the surmises, and what it was that changed your opinion as to the political aspect of this exodus?—A. We form opinions not from an isolated fact, but from the general inferences that we may gather from a combination of facts. It is a fact, and a notorious fact, that the Republican press of the State is encouraging it, and that alone ought to satisfy me that the party is interested in it.

Q. Can you mention any other fact besides this that the Republican press generally encourage it in Indiana?—A. The Republicans in the city with whom I have talked, while some of them do not seem to encourage it directly, they defend it.

Q. Thus, they say this, that these people have a perfect right to come to Indiana?—A. Yes, sir.

Q. As good a right to come as white people?—A. I have heard that argument frequently.

Q. Do you object to that?—A. Do I object to it?

Q. Do you object to these people going there with the same inducements and the same desire for freedom as the white people who come to Indiana?—A. I certainly would not advise them to come.

Q. But suppose they elected to come, saw fit to come, you would advise any destitute person not to come to Indiana?—A. I suppose they have a right to come.

Q. Well, these Republicans whom you speak of simply defend their right to come, the same right as they say everybody has a right to come to Indiana?—A. You remember that Mr. Mills did not put it in that way. He said they wanted some 20,000 bucks there.

Q. I was asking you what you based it upon, and you say Republicans defend their right to come the same as they defend the right of everybody else to come?—A. Yes, sir; I say that some of them come because they want their votes.

Q. Do you understand that Republicans want them to come as *paupers*, and with the prospect that they will remain as paupers, simply

because they want their votes?—A. I do not believe that one-fourth of the people of the State of Indiana desire them to come, or would encourage it.

Q. And you don't say that the Republicans, generally, desire them to come?—A. I say that the leading Republicans desire it.

Q. Can a pauper vote in Indiana?—A. Yes, sir; he can.

By the CHAIRMAN:

Q. They don't require a property qualification in Indiana as they ould up in the New England States to enable them to vote?—A. A an may be ever so poor, but he is not too poor to cast a ballot in Inana.

By Senator BLAIR:

Q. That is good; and you base your opposition to the colored man ming there upon the ground, simple and purely in your own mind, at he is too poor to get a living in Indiana?—A. Will you let me swer in my own language.

Q. Yes, sir; in your own way.—A. I oppose it, first, because there is demand for his labor; he will only meet with suffering and want.

Q. That reason applies to all the laboring people coming there, does not; all poor people coming to Indiana?—A. Destitute people, paurs; yes, sir.

Q. Laboring people—laboring emigrants—who are obliged to depend pon their labor for a living; that is what you mean, is it not?—A. es, sir; I don't think there is any demand for that class of labor.

Q. Your opinion is so broad that it covers the white as well as the egro?—A. Yes, sir.

Q. They are strong and vigorous, able to do work?—A. I have not een any of them doing work.

Q. But you have seen these people, and they are able, strong, vigorous ien; able to do work, are they not?—A. If I was going to select a man o work upon a farm I would certainly select some one not on account f any political prejudice, because I may state I have very little against he negro, but I would select some one other than the negro; I would refer a German.

Q. You are a very intelligent gentleman, at any rate, if not a lawyer; ith little less circumlocution I ask you whether these colored men and omen who come there are not strong healthy people?—A. I think not, ir.

Q. Well, I will ask it in this way; do you not think they are fair epresentatives of the laboring population of the South, or of the colored aboring population of all parts of the country?—A. Senator Vance ould be a better witness on that question.

Q. He is not under oath.—A. I will give my opinion; those who are he better class of blacks are not coming to our State.

Q. What do you mean by the better class?—A. I will explain it in is way; an industrious black man in the South will have a home.

Q. I am not asking you about that, I am asking you as to the perinal vigor of these colored people who are coming to Indiana.

The CHAIRMAN. Let the witness have a little chance.

The WITNESS. I have seen some from the South, very healthy men, at you could not get a day's work out of in the year.

Q. You have disconnected that other answer from the question I am ing you. Did you not say that this population, who come there, have e there as paupers; that you did not consider it a laboring popula-

tion?—A. I certainly don't consider them capitalists; they certainly have not the balance with the bondholders.

Q. I will give it up, as I don't see you will answer the question.—A. I don't know whether a majority of them are willing to work or not.

Q. I do not wish to talk with you about it because it comes to nothing, but let me ask you if this colored population, as a rule, who have come out there during the exodus have been distributed through all parts of that State?—A. Did you say a majority of them?

Q. Yes, sir. Now, I want you to be sure and understand me. I don't want you to understand me if the children are not at work and getting a living, if the population that comes to that State is not now self-sustaining?—A. From the information that I have now, it is my judgment that one-half of them had employment.

Q. But my question is, whether, as a whole, these 1,000 people or so who have come there are not to-day self-sustaining; there may be a few who are not earning their living, but are they not earning as an entirety more than they are expending in that State?—A. Let me digress a little. I don't know the condition of the parties who are sent in the interior portion of the State.

Q. You understand they have gone there to get work?—A. But I spoke of those who have remained there at Indianapolis.

Q. O, I mean—— A. I cannot answer for those who have gone elsewhere. I understand there were two carloads that went yesterday. I don't understand that there is any employment for them.

Q. You don't understand, as a whole, that this population who have come into your State, 1,000 or so, are self-sustaining?—A. I don't.

Q. This is the winter season?—A. Yes, sir.

Q. You expect that they will suffer soon?—A. No, sir; I don't think they will in our city now.

Q. You don't think that these colored people will be able to get a living?—A. No, sir; there are a great many in our city now who do not get a living.

Q. A great many will starve to death in Indiana, will they not?—A. A great many more are destitute who were there before these people went there.

Q. Are any of these people who went to Indianapolis employed in that city since they went there?—A. I don't know of any.

Q. How many do you actually know of in that city who have come from North Carolina or elsewhere in the progress of this exodus?—A. I could only answer that by memory and from seeing them pass by the office. My office is on the street opposite the other State offices, and I could only see them in the street passing by.

Q. You say you know of none who have found employment?—A. I state that I don't know of any. I could not name one.

Q. You don't know very much about it in that way?—A. I know more perhaps concerning those who are destitute and who come to my office seeking assistance than I do of those who have been successful, who have been getting employment.

Q. Many of them have gone to other parts of the State, have they not?—A. There may have been many.

Q. Don't you think it at all strange that in the progress of such a movement there, in the transit would be more or less of suffering, and that without regard to the colored emigrant, while people are in this state of transit?—A. I think it depends a great deal upon the section of country they would move from whether they would be acclimated or

not. I don't think there would be as much suffering in moving from Ohio into Indiana or from Pennsylvania to New York.

Q. But is it not a fact that in all great movements of population there is more or less individual suffering. You recollect the Pilgrims had a hard time in the first settlement of this country?—A. Well, there is more or less suffering occasioned from moving from one locality to another, and more coming from the South.

Q. You could not condemn this movement as a whole because 27 persons had died in Indiana?—A. That is in Indiana in a very short time.

Q. At one time in Indianapolis, a great city, where they have arrived and where the people suffering would be likely to be left?—A. Yes, sir.

Q. You say you have known something of the inclination of these people to get back?—A. Yes, sir.

Q. Do you know anything of them actually getting back to North Carolina?—A. I don't.

Q. Have you known the fact which one witness mentioned that many, or at least some, of these emigrants were men of property?—A. I have heard some of them had means, but never met any of them.

Q. What amount have you understood that some of them possessed?—A. Well, I have never heard any amount at all; on the stand this morning when a witness said $20,000.

Q. Have you any at this moment information which would lead you to modify your statement that these people are paupers?—A. There may be an isolated exception, but from their appearance and from the conversation I have had with them, I would certainly class them as paupers, destitute people.

Q. But would you not admit now that they are generally people who look as though they could earn their living if they had the chance to work?—A. I would feel very much discouraged if I had as large a family as some of them have, with no bedding, clothing, or house to make a living in Indiana; it takes less for them to live in North Carolina than it would in Indiana.

Q. Is it not likely that they would get a pretty solid compensation for their labor in Indiana; are not wages higher in Indiana than in the South?—A. I have posted myself more in reference to that. I have some interest in the South. I have said this to my friends. I am speaking of laboring men. Northern Alabama has the same climate as North Carolina, very much the same climate.

Senator VANCE. Very nearly the same.

By Senator BLAIR:

Q. But the question is as to whether you are posted as to the wages paid in Northern Alabama?—A. I have advised a great many of my friends to go there, in preference to remaining in Indiana, where they can buy lands much cheaper.

Q. You are not sending paupers down there; you are not encouraging a movement of that kind?—A. If a man has not a dollar in the world, or a home, or much clothing to wear, I don't know that I could give him much advice.

Q. I asked you if, as a rule, you are not aware that the wages are higher in the North than in the South, though I don't limit it to North Carolina or Indiana?—A. If the same class of laborers who are coming to Indiana could do better in Alabama, I would advise them to go there in preference to remaining in Indiana.

Q. Irrespective of politics?—A. Yes, sir. My plantation is in a Republican district.

Q. Then you have not any definite knowledge more than you stated; you don't know whether these are better off in Indiana than in North Carolina or not?—A. Taking everything into consideration, the number of days that they can work, and the expense of living, I think the wages better in Northern Alabama than they are in Indiana for laboring men.

Q. Well, that is one reason why you are opposed to the exodus, is it not?—A. I stated the cause of my opposition.

Q. Well, General, then I understand from you that you claim that wages are better and higher in the South than in the Northern States, and that understanding is one of the reasons why you are opposed to the colored man coming to the State of Indiana?—A. I have not stated that the per diem is higher in Alabama than it is in the Northern States. I said I would consider the wages in Alabama—I think that the wages are better in Alabama than in Indiana.

By Mr. WINDOM:

Q. I understood you to say, General, that one reason why you thought this exodus was a political movement was because the subscribers to the papers for relief contained none but Republican names. Did you say that?—A. Perhaps I named that among other things.

Q. And you thought that because Republicans, and none others, subscribed to the relief of these people, that therefore it was a political movement?—A. I do not know, Senator, whether that money was paid for the bread and butter and clothing of these people, or whether it was paid for their railroad fare. If I had known for what purpose it was used, I might have changed my opinion.

Q. But you do not know for what purpose it was used?—A. No, sir; I do not know.

Q. Have you noticed the entire amount that was raised, as it is stated in the paper from which Mr. Voorhees just read? (Referring to The Indianapolis Journal of date February 12, 1880.)—A. No, sir; I do not think I heard the amount, but it is under $300 I know.

Q. Did you not hear of any Democrats subscribing to this relief fund? Would you suppose that they would encourage the raising of money for this fund?—A. I would not.

Q. Why would you suppose that it was for political purposes in the one case and not in the other?—A. If it had been presented to Republicans and Democrats alike, I would have thought that it was a humanitarian movement, and subscribed for charitable purposes alone, but it had the ear-marks of a Republican document, when I looked at it.

Q. Now this report from which the chairman read shows a total amount of $296.85, raised for the relief of these people in your city?—A. Whose report is it?

Q. It is the report made at this meeting by the committee. I will read to you. (Reading from The Indianapolis Journal of February 12, 1880): "The mass meeting held in the Second Baptist Church (colored) last night, to consider the workings of the relief society among the colored emigrants, was well attended, the Rev. Moses Broiles presiding," &c. It gives a report of the money raised by friends of the colored people there, and the total amount paid it states at $296.85, and it itemizes the accounts for which it was paid.—A. Does it name the tickets which were purchased?

Q. It does not.—A. Does it name the twenty-five dollars paid to Williams and Perry here?

Q. It does not mention any tickets at all. Do you know whether

5 was paid for tickets?—A. I do not; that is what I wanted to find it.

Q. Do you know of *any* $25 being raised?—A. I know of its being raised by hearing the testimony here.

Q. You say that the Republican papers, so far as you have seen them, all sympathize in this movement?—A. Yes, sir.

Q. Their sympathy in it is strong, isn't it, apparently?—A. It is not to be mistaken, sir.

Q. Any more, do you think, than in the other case you spoke of?—A. To what do you refer?

Q. You spoke of the sympathy of the Democratic papers for the rebellion. Do you think that the Republican papers are as strong in their sympathies for this movement as the Democratic papers were in favor of the rebellion?—A. I was a boy in the Army at that time and I——

Q. Didn't get the papers, I suppose?—A. No, sir.

Q. I understood your answer to Mr. Voorhees' question awhile ago to be that you thought the sympathies of the Republican papers were even stronger in favor of the present exodus than the Democratic papers were in favor of the rebellion?—A. That was my opinion from the sentiments I had heard.

Q. Then you made that comparison to show how strong the sympathies of the Republican press of Indiana are in favor of this exodus, did you?—A. Well, I would make it even stronger, perhaps.

Q. But it serves you for the purpose of a comparison, does it?—A. I hardly know whether I ought to make such a comparison, for I have only resided in Indiana since the war.

Q. Well, didn't you agree with the comparison made by the chairman?—A. I only answered that in my opinion the Republican papers are much more unanimous in favor of the present exodus than the Democratic papers were in indorsing the rebellion.

Q. But you do not know what the Democratic papers did at that time?—A. No, I do not; I only judge from the Democrats I met then, and that I meet and talk with now, as to the course they pursued in the war.

Q. Then the comparison suggested by the chairman as to the Democratic sympathy with the rebellion and the Republican sympathy with the present exodus does not amount to much in your case, because you can only judge from hearsay, and not from your knowledge?—A. Well, it may not amount to much as a comparison; I speak only from general impressions made at the time in the Army. I met General Manson, who is here, in the Army; he was a Democrat then and he is a Democrat now.

Q. He did not edit a paper then?—A. No; he was in the Army then.

Q. But we are speaking of papers now.—A. The only knowledge I have is what I then knew and what I have heard since.

Q. Then you cannot very well make the comparison which the chairman suggested in his question to you?—A. Perhaps not, sir.

Q. Have you heard anything of this Democratic exodus from Kentucky into Indiana?—A. Not until you asked the question.

Q. You didn't hear of it in the papers?—A. No, sir.

TESTIMONY OF W. H. WOODS.

WASHINGTON, D. C., *February* 13, 1880.

W. H. WOODS sworn and examined.

By the CHAIRMAN:

Question. State your name, Mr. Woods.—Answer. W. H. Woods.

Q. And your residence.—A. Indianapolis, Ind.

Q. And your occupation.—A. I am a barber by trade.

Q. How long have you lived in Indianapolis, Mr. Woods?—A. I have lived there about four years and a half—four years possibly—about four years and a half.

Q. Where did you live before that?—A. I lived in Parsons, Kans., before that.

Q. Are you a Northern man by birth?—A. No, sir; I am not.

Q. What State were you born in?—A. In Tennessee—Nashville, Tenn.

Q. You are a Republican in politics, Mr. Woods?—A. I am, sir.

Q. You take some interest in politics as well as other people at Indianapolis?—A. A little, sir.

Q. State whether you have taken an interest in these people that have come to our State from North Carolina.—A. I have taken no interest in getting them there.

Q. No, but since their arrival.—A. I am a member of the citizens' relief committee, and have had something to do with taking care of those that have come.

Q. Well, what duties have you performed in that respect, Mr. Woods?—A. Well, I have, as a member of the committee, had something to do with trying to collect funds for the purpose of buying provisions, &c., to take care of these people.

Q. Have you succeeded in collecting a considerable fund for that purpose?—A. I think I collected, myself, nearly, about—well, something about seventy-odd dollars.

Q. What do you know about some people of your race applying to the Republican State central committee?—A. Well, all I know about that is that our committee had about exhausted all of the money we were able to collect from the friends on the street; and we had learned that there was some funds that had been collected, or at least some parties had signified that if the money could be rightfully expended, that they would donate something, or give something in that direction. I believe that the Hon. J. S. Hinton, down at the Republican State committee rooms, one day, had made some inquiry (as he had heard it reported, I guess, on the streets, that there was some money—I do not know where else he got it; and while he was in the State Central committee rooms, I believe), he asked what was going to be done with these people; that they were there, and our people had exhausted about all the means that we had on hand; and I believe that he was told that the matter had been left with a man by the name of M. H. McKay, I think the name is, and a man by the name of Byram.

Q. Do you know these two gentlemen?—A. I had not met Byram.

Q. Do you know Mr. Byram by reputation?—A. Yes; I know him by reputation.

Q. Was he a man of some prominence?—A. M. H. McKay was in the city council there. Byram was a man of some prominence; I think he was an ex-councilman or ex-alderman; I don't know which.

the best thing we could do was to try to get hold of it. So I
a resolution in the committee that a committee of five be ap-
to wait upon these gentlemen and see if there was any means
d been collected or left with them to take care of these people;
ought it necessary that they should be taken care of.
Was your resolution adopted?—A. Yes; and the committee was
ed.
Who was chairman of that committee, yourself?—A. No. R. B.

Were you a member of that committee?—A. Yes, sir; I was.
id you wait on Mr. Byram or Mr. McKay?—A. We waited on
Kay. Mr. Byram was notified I believe by Cyrus T. Nixon, if I
mistaken, to meet the committee at Marshal Dudley's office, I
, for a conference, but he did not appear, neither did Mr. McKay.
erwards waited on Mr. McKay at his office in the Odd Fellows'

Well, what satisfaction did you get, Mr. Woods?—A. All the sat-
n we got, so far as Mr. Dudley was concerned, at his office while
e there, and from Mr. McKay, was that Mr. Nixon stated to us
had been appointed by somebody, he did not state who, to go
h the State soliciting funds, and he had made a failure of it.
hat is, Nixon stated that?—A. Yes; and that he had caused Dr.
Elbert to be appointed in his stead; and if there was any funds
ad been collected that McKay and Byram knew of and had the
—if there was any collected—that he had made a failure. Mar-
udley stated to us that all he knew about it was, he (Dr. Elbert)
bscribed ten dollars, and that he supposed Dr. Elbert had
oney if he did not turn it over to McKay. So we protested
Dr. Elbert being appointed to collect the funds as he did not
to the committee—was not a member, having been defeated for
onding secretary of the committee by Benjamin Thornton. Not
member of the committee, we thought he had no right to handle

Q. And a candidate now for nomination to the legislature, is he n
A. I believe he is.

Q. Mr. Woods, he said that he had been appointed to canvas State for funds, I believe you stated? He did not say, however, he had been appointed by, did he?—A. He did not; he simply sai he had been appointed to go over the State and collect funds, an he had made a failure of it and that he had caused Dr. Elbert to pointed in his stead. Or, in other words—I will give it to you own words—that he had written out a recommendation for Dr. El be appointed, and that recommendation had been signed by McK Byram; that if any wrong had been did in Dr. Elbert being app to collect funds, he was responsible for it.

Q. What employment is Nixon in?—A. Well, Senator, to tell y truth, I don't know what he is doing. He has an office there, don't know exactly what he is employed in.

Q. You did not know that he was employed in the United marshal's office?—A. I don't know whether he was or not.

Q. Now, passing from the office, did you see McKay at all in c tion with this business?—A. We did.

Q. Where did you see him?—A. We saw him at his office.

Q. What did he say to you?—A. Well, this written statement t made and signed at the committee. I went first in company wi Nixon to McKay—or Nixon said that after this written statement would relieve him of having Dr. Elbert appointed, and he desire one of the committee to go down with him and present this writte ment against Dr. Elbert's collecting any funds, to McKay; and solicited to go down with him and present this written statement Kay. He said McKay could remove Dr. Elbert if he desired to and could simply lay the matter before McKay. So he and I la matter before McKay. Next day the committee called on Mc know what he was going to do about it. McKay said to the com that he considered that Dr. Elbert was responsible to them for amounts he collected; and if he collected any, the committee wou it, and that we might call on him and not Dr. Elbert for the mone

Q. Did you mention to Mr. McKay that Mr. Hinton had inf you that the State central committee left the matter to him?—A did; we told him that we had learned—we had been referred to hi Mr. Byram by some gentleman up at the committee room of the central committee, that there was some funds collected and left i hands for that purpose; and if there was any, we would like to h as we thought we were the proper persons to handle the funds; t care of these people.

Q. You were seeking funds to take care of these people after th come there; to feed and clothe them and take care of them, if you were you not?—A. Yes, sir.

Q. Mr. McKay, Mr. Nixon, and Mr. Dudley all knew that th your object in getting the money, did they?—A. We so stated that was our object in getting funds; that we had exhausted all w

Q. Did you ever get any of it for that purpose?—A. I belie McKay furnished the president of our association, Mr. W. C. T $10.

Q. Did he say that was all he had?—A. He said it was all he present.

Q. Did he deny having collected any?—A. To tell you the trut ator, it seems as though he did not want our committee to use the

that's the truth of the matter; and he had rather it would come through Dr. S. A. Elbert's hands and Rev. Moses Broyles's.

Q. They are political leaders of your people there, are they not?—A. Yes, sir; they are.

Q. And it looked as though the Republican State central committee preferred to disburse the funds through them than through your committee, which was purely a charitable committee?—A. I do not know what the Republican State central committee had instructed them to do, but these gentlemen seemed to desire that.

Q. These were the gentlemen you had been referred to through Mr. Hinton?—A. Yes, sir.

Q. Did you ever see Doctor Elbert on the subject?—A. I think I never had any particular conversation with him about the matter, because I did not think he was the proper man to handle the funds, and I did not talk to him about it, because I had signed a written recommendation against his collecting funds, and presented that to Mr. McKay, and I thought that a sufficient reason, so I was not disposed to consult with him about it.

Q. You did not ascertain how much Elbert had, did you?—A. We did not find out that from McKay, because he seemed as though he did not care to give us any information as to how he got the money.

Q. The money had been collected and he would not give you any satisfaction as to the amount Elbert had in his hands; is that it?—A. No, sir; we never did find that out.

Q. What steps did you take in that connection, as a committee, when you found that state of affairs?—A. Well, when we found that state of affairs, and as we believed the means was somewhere, although we could not get them, we thought that if Dr. S. A. Elbert and Rev. Moses Broiles was the persons these gentlenen desired to have handle the funds if any was collected—our committee thought that Rev. Moses Broiles and Dr. J. A. Elbert was the men to take care of them, so when our committee had a meeting next we simply resolved to do nothing more unless we was furnished means to do it with, as we had exhausted all we had. And we have not did anything since leaving it to these gentlemen to attend to.

Q. Was there anything, Mr. Woods, connected with this matter that made an impression on your mind that there were political objects in view?—A. Well, after we had called upon these gentlemen—up to that time—I thought there was not; but after we had called upon these gentlemen, and the manner in which we was treated by them, it kind of looked to us, as we termed it, as if there was "a dog in the well." We thought there was something somewhere, and they didn't desire to let us know anything about it, and, after pressing the matter as far as we could, we dropped it.

Q. Who was on this committee with you?—A. Mr. R. B. Bagby.

Q. He is a very respectable man, is he not?—A. He is principal of the school there, number 24, I believe.

Q. Is he a colored man?—A. Yes, sir.

Q. And who else?—A. Mr. James S. Hinton.

Q. He has been canal trustee, has he not?—A. Yes, sir; he has.

Q. Who else?—A. William F. Floyd, I believe, and Benjamin Thornton and L. E. Christy.

Q. In other words, it was a responsible committee?—A. Yes, sir.

Q. Responsible for the handling and disbursement of money?—A. We thought so, sir.

Q. Yes, I think so too. You *have not* been able to determine why

the money was not disbursed through you except on the hypothesis that there seemed to be "a dog in the well," as you expressed it?—A. That is what we thought.

Mr. VANCE. Down in our country they call it "nigger in the wood-pile."

By the CHAIRMAN:

Q. You stated at the outset of your examination that you were a Republican?—A. Yes, sir.

Q. Do you know anything—I do not know whether you do or not—about the manner in which the money was raised there to bring these people on from Washington, or whether they had any money to get through with?—A. I do not, sir.

Q. Don't you know how that money was raised?—A. I do not know how that money was raised.

Q. I mean not merely of your own knowledge, but from information?—A. No, sir; all I know is, the agent of the Baltimore and Ohio Railroad called upon us one night when our committee was in session, to know whether a dispatch, I think, had been received for money to be sent to Washington.

Q. Do you remember how much he stated that money was?—A. My impression is he stated there was a dispatch sent for some six hundred dollars, I think.

Q. Mr. Woods, do you think that six hundred dollars could have been raised among the colored people at that time in the course of twenty-four hours, or forty-eight hours, for the purpose of buying transportation from Washington City to Indianapolis for these colored emigrants?—A. Well, I know that it could not.

Q. You don't *think* anything about it, you *know* it?—A. Yes, sir; I *know* it.

Q. You were satisfied, then, that if six hundred dollars, or any such sum, was raised for such a purpose, it had to be raised outside of the colored people?—A. If any such sum was raised, it must have been raised outside of our people.

Q. Do you remember that soon after the Baltimore and Ohio agent spoke to you there was an arrival of some hundred and fifty to two hundred of these people?—A. I believe there was, sir.

Q. Were you informed that the money was raised—not as to how it was raised, for you have said you did not know that—but were you informed that the money was raised there for them?—A. All I know about that is that we referred the agent of the Baltimore and Ohio Railroad to Mr. R. B. Bagby, chairman of the executive committee, and whatever disposition they made of it I don't know.

Q. Well, do you know whether, in point of fact, there was a sum of money raised for that purpose at that time?—A. I could not state positively whether there was or not.

Q. Well, upon information?—A. I understood that the money was sent on.

Q. You understood that money was sent on?—A. Yes; I understood that, but I don't know whether it was or not.

Q. Well, this investigation is not governed by the close rules of a court, and you can give us what you have heard. How did you come to understand that, Mr. Woods?—A. I don't know; I think I just merely heard it talked of generally, rumored around, and I got hold of it. A great many rumors were going around, and it may have been a *false* one for all I know.

Q. Yes; but you think there was a general understanding, in which you participated, that money had been sent on to them?—A. Just as I stated before, we thought there was a "a dog in the well," and there must be some money in some place, and that is all I know about it.

Q. You pulled out of the business pretty much after that, didn't you? A. Our committee has not did anything since, and didn't intend to, unless they gave us some money to do it with.

Q. Are you a man of family, Mr. Woods?—A. I am.

Q. What family have you?—A. I have only a wife, sir.

Q. You still are occupied there in the Bates House, in the barber-shop, are you?—A. Yes, sir.

Q. Woods, you write sometimes for the press in behalf of your people, do you not?—A. I do; yes, sir.

Q. And you are a member of the Republican club of your ward, I believe?—A. Yes, sir, I am.

Q. Are you familiar, Mr. Woods, with the condition of these emigrants at this time in Indianapolis?—A. The most that I have seen of them, sir, has been in connection with our committee work. In fact, I believe my committee handled four hundred and thirty-eight of them.

Q. What do you mean by "handled," Mr. Woods?—A. That is, they came into our hands, and we took care of them for a time; that is, they were put in the hands of our committee; we quartered them in the church and we fed them for a time.

Q. Well, what proportion of them have been able to get employment?—A. All of those we had we disposed of; we got places for them here and there over the State.

Q. You got places for them in different parts of the State?—A. Yes, sir.

Q. You sent a good many of them away from Indianapolis, did you?—A. Yes, sir; we sent about all of them away from Indianapolis.

Q. Did Mr. Langsdale, of Greencastle, communicate with you on the subject?—A. I do not know whether we had any direct communication from Mr. Langsdale or not.

Q. What proportion of these people have not been employed?—A. I do not know, sir; this Christian Aid Association, of which the Rev. Moses Broiles is president, got a good many of them places around the city there; I don't know how many of them is employed. Those we had we sent away.

Q. Have you seen any of them unemployed?—A. Yes, sir; I think there is a good many of them over there that is not employed in the kind of headquarters of Moses Broiles's old building, on the corner of California and Pratt streets, I think.

Q. It was in behalf of these that the constant appeals for public charity were made, was it not?—A. I believe so, sir. I heard you read a report to this committee, or a portion of it, awhile ago.

By Mr. WINDOM:

Q. Mr. Woods, what is Mr. Byram's christian name, please?—A. I do not know, sir.

Q. Can you ascertain while you are here, and give it to me before you go away?—A. No, sir; I cannot.

Q. Do you know Mr. McKay's given name?—A. I think it is M. H., if I am not mistaken—Mr. M. H. McKay.

Q. What is Mr. Nixon's given name?—A. Cyrus T., I think.

Q. Cyrus T.?—A. Yes, sir; Cyrus T. Nixon.

Q. Mr. Woods, there are two societies there, among your people, tak-

ing care of these colored emigrants, are there not?—A. Yes, sir; there are.

Q. And there was some disagreement or misunderstanding among them, was there not?—A. There was just this misunderstanding about it, Senator, that Dr. S. A. Elbert and Rev. Moses Broiles, together with some more of our prominent colored citizens there, called a mass-meeting to appoint a committee, and the committee was appointed. The Rev. Moses Broiles was put up for president, and he got beaten, I believe, by Elder Trevan. Dr. S. A. Elbert was put up for corresponding secretary, and he got defeated by Benjamin Thornton, and that seems to have displeased them in some way.

Q. It resulted in ill-feeling between the two organizations, did it?—A. Yes, sir; they went off and called a meeting of the five Baptist churches in the Second Baptist Church, and formed what we called a "Christian Aid Association," with the Rev. Moses Broiles as president.

Q. And that still further promoted the ill-feeling or rivalry between the two committees, did it, so that they did not work together harmoniously?—A. Yes, sir; it did.

Q. I am not trying to get at the merits of the case; I am only trying to find out the facts.—A. I am only stating to you what I know.

Q. Yes, I know. Now, when you went to Mr. McKay about the money, he did not seem to favor your committee, did he?—A. He did not seem to favor our committee, because it appeared to us, as we found out on investigation, rather, that they were desirous of having Dr. S. A. Elbert and Rev. Moses Broiles handle whatever funds should be collected.

Q. That is, they preferred that their committee should handle the funds?—A. Yes, sir; and we thought that is the reason why the Rev. Moses Broiles and Dr. S. A. Elbert formed this other organization, because they didn't happen to be elected as officers of the citizens' committee.

Q. Very likely; but the impression you had was that they preferred their committee to handle the funds?—A. Yes, sir; that is the impression we got, that they desired these gentlemen to handle the funds, if there was any funds.

Q. Have you heard of any funds being raised, except for the purpose of relief and charity?—A. Only as I stated a while ago, I heard a rumor about six hundred dollars; that is all I know.

Q. But you didn't know?—A. I didn't know positively that it was; no, sir.

Q. You didn't know whether $600 was sent out at all?—A. I didn't know positively, at all; no, sir.

Q. You have given us all the facts you have that made you give any credence to the rumor, have you?—A. That is all I have in that respect. Mr. Bagby may possibly give you some information. The matter was referred to him, to Mr. R. B. Bagby.

Q. Can you give me your best opinion about how many of the whole number of these people that arrived there—of those able to work—have failed to find employment—abled-bodied men, I mean?—A. No, sir; all that are there unemployed are in the hands of the Christian Aid Society, and I don't know anything about whether they are working or not.

Q. You do not know, then, how many have not succeeded in finding employment?—A. I don't know; we took care of ours.

Q. You found employment for how many?—A. Our secretary's books show that we handled four hundred and thirty-eight, I believe.

. These were all disposed of, and found employment?—A. Yes, sir.
he committee here took a recess of ten minutes.

fter recess, 2 o'clock p. m.

TESTIMONY OF MINGO SIMMONS, COLORED.

MINGO SIMMONS, colored, was sworn and examined, as follows:

By the CHAIRMAN:

Question. Where do you live when you are at home?—Answer. In orth Carolina, Greene County.
Q. What is the county seat of Greene County?—A. Snow Hill.
Q. How far do you live from there?—A. Ten miles, it is called, from y house.
Q. Have you been out to Indiana recently?—A. Yes, sir.
Q. When did you go?—A. I went by here on the first train that went here.
Q. How many were on that train?—A. We took fifty-three, I think.
Q. Were they all men?—A. There were three women in the crowd.
Q. Have you a wife and children?—A. Yes, sir.
Q. Where are they?—A. In North Carolina.
Q. Did you have them out there with you?—A. No, sir.
Q. Where are you going now?—A. I am on my way back home, when leave here.
Q. Are you going home to stay?—A. Yes, sir.
Q. Didn't you like it out there?—A. No, sir; not so well.
Q. You think you can do better at home?—A. Yes, sir; at present rices I can.
Q. Could you get no work at Indianapolis?—A. I had a little to do t Greencastle.
Q. How much?—A. When I first went down there I laid around hree or four weeks before I got any work to do. Then I went to work or a gentleman named Peck.
Q. Where did he live?—A. He lives across from the south depot.
Q. Did he give you any work to do?—A. He gave me some work to o; a little work.
Q. How much did he pay you?—A. He gave me 50 cents a day, and boarded myself out of that.
Q. He is a pretty prominent man there, is he not?—A. He is said to e, sir. They were all strangers to me.
Q. Mr. Peck has a large farm out there, has he not?—A. Yes, sir.
Q. He lives pretty well, there?—A. Yes, sir.
Q. What did you do for him?—A. I gathered corn.
Q. Did you do a full day's work?—A. Yes, sir; unless there came n, and broke it up.
Q. Where did you board?—A. There at his house.
Q. Did he charge you—did he take it out of your pay?—A. Yes, sir.
Q. How much did your board cost you?—A. I do not know, sir. I not stay there long.
Q. How long?—A. Three weeks.
Q. How much money did you get from him?—A. I did not get much.
Q. Well, can you tell us about how much?—A. I do not know, sir; was all gone before I got it. I had to keep eating, you know, or die.
Q. When you settled up at the end of three weeks, how much did you ?—A. Not a cent.

Q. Was it all charged against you?—A. Yes, sir.

Q. When you got through with your three weeks' work, you found you were just even and had nothing ahead.—A. Yes, sir.

Q. You did not have to pay anything to him to get to leave there, did you?—A. No, sir.

Q. What had you got from him besides your board that it brought you out just even?—A. Nothing at all, sir; I worked there three weeks, and the weather is terribly bad out there at this time of the year; and including bad days the board taken out, and me still eating, there was nothing for me left. You know I had to keep on eating, rain or shine.

Q. When he charged you for the rainy days that you did not work, you just came out even?—A. Yes, sir.

Q. You could have done as well as that in North Carolina, could you not?—A. I could have done better, sir.

Q. Where did you go then?—A. I went to a gentleman named Elsbury O'Hara.

Q. Did he tell you that he was very fond of your race of people?—A. Yes, sir.

Q. Mr. Peck was a Republican, was he not?—A. I understood so.

Q. Mr. O'Hara was?—A. Yes, sir.

Q. Do you have any politics yourself?—A. Not so much, sir.

Q. You voted down in North Carolina, did you not?—A. Yes, sir; just as much as I pleased.

Q. How did you vote?—A. I always votes the Republican ticket.

Q. How will you vote when you get back there—the same way?—A. I expect to, when I get back, vote the same ticket.

Q. Nobody ever bothered you about it down there, did they?—A. No, sir.

Q. You say you left Mr. Peck's and went to Mr. O'Hara's.—A. Yes, sir; I hired with him, and staid there, I reckon, a month and a half; and I cleared ten dollars from him.

Q. In what length of time?—A. I reckon I staid there a little over a month and a half.

Q. On what terms did you work, by the day or by the month? How much was he to give you?—A. Ten dollars.

Q. And he to board you?—A. Yes, sir; he boarded me out of that, at that time. I cleared $10 in a month and a half and more.

Q. How is it that you did not clear $15?—A. I got some clothing from him, and that cut it down to $10. When I had gone there with him, I asked him what he was going to give me, and he said $10 a month and house rent, and board myself out of that.

Q. You staid with him six or seven weeks?—A. Yes, sir.

Q. Do you think you could have done that well in North Carolina?—A. I could have done better in North Carolina. I can get $10 a month there, and half of Saturday afternoon, and as much ground as I want, and a horse to plow it with, and my board.

Q. You were never offered anything like that out there, were you?—A. No, sir; nothing like that at all.

Q. Are the rest of your people, who have gone out there, in Putman County, getting on better than you did?—A. You mean those emigrants?

Q. Yes, sir.—A. No, sir. Some of them are getting only $5 a month.

Q. Men folks?—A. Yes, sir.

Q. Do you know any of the men who are working for Mr. Stevenson?—A. No, sir; they came out from another party.

Q. Do you know what he is paying them?—A. No, sir.

Q. Do all those who are out there get work?—A. No, sir; not all of them get work.

Q. What are those doing who have not got any work?—A. They are just walking around there.

Q. Living on what people give them?—A. Yes, sir; going from place to place.

Q. Do the women get places out there?—A. No, sir; I saw some of them on Sunday, and talked with them about that.

Q. Why don't they get places?—A. They say they do not suit out there.

Q. Do they get as much as they get in North Carolina when they are employed?—A I have heard of some of them getting $4, but I hain't seen that; women in North Carolina gets $5, and some of them $4, according to what sort of hands she is.

Q. How much did you ever get in North Carolina?—A. I have got $12, but I put it down to $10 all round; they call me an extra hand down there.

Q. How old are you?—A. I am thirty-two this coming July.

Q. How much of a family have you?—A. I have six children and a wife.

Q. Did you live on a piece of rented ground in North Carolina?—A. No, sir.

Q. Did you own it?—A. No, sir; I lived with a gentleman, Mr. Richard Hardy.

Q. And he gives you a piece of land to cultivate?—A. Yes, sir.

Q. And you farm some for yourself?—A. Yes, sir.

Q. Do you have to pay rent?—A. I pay half the cotton, and a third of the corn and fodder.

Q. How much can one man make at that rate?—A. Well, it is owing to the ground.

Q. You have fair, average ground, have you not?—A. Yes, sir.

Q. Well, take yourself, now; how much do you make on it?—A. About eight bags.

Q. You do not mean bales of cotton?—A. Yes, sir; I call them "bags."

Q. How much land would it take to raise eight bales of cotton?—A. We generally put in down there about twelve acres of ground in cotton.

Q. Can you get eight bales or bags of cotton off from that?—A. Yes, sir.

Q. How much is a bag of cotton worth, delivered at Snow Hill?—A. Well, sir, it is owing to what the price is.

Q. Well, this year for instance?—A. Well, sir, this year for a five hundred pound bag it is worth 10 cents a pound.

Q. That would be $50 a bale?—A. Yes, sir.

Q. So, if you get four bales out of eight, you would have $200?—A. Yes, sir.

Q. And you would have a patch of ground to cultivate, and a place for your cow and calf, and all that?—A. Yes, sir.

Q. You say one-third of the corn you raise goes to pay the rent?—A. Two-thirds of it goes to pay the rent, and one-third comes to me.

Q. Have you a pretty good house?—A. Yes, sir, I had, because it has not been so very long since it was built.

Q. Did you live comfortably?—A. Yes, sir.

Q. Did you get your fire-wood free?—A. Yes, sir; I would go down in the marsh and get as much as I wanted—and light wood, too.

Q. What did you do last year?—A. Last year I hired out for the sea-

son to a gentleman; he had some green marsh down there to clear up, and I hired with him.

Q. What do you call a "season" in North Carolina?—A. From the time we plow until we gather in.

Q. What did you do for that gentleman last season?—A. I commenced last winter cutting off timber; he was to give me five acres to clean up, and all I got off from there I was to have.

Q. For cleaning it up you were to have what you could raise on it for one season?—A. Yes, sir.

Q. That was this last year?—A. Yes, sir; this last year past.

Q. And then you made a crop on the new ground?—A. Yes, sir; part of it.

Q. Did you raise cotton?—A. No, sir; I raised corn. We do not put cotton in the marsh.

Q. Nobody had abused you then, in North Carolina, to make you uncomfortable?—A. No, sir.

Q. The white people treated you kindly?—A. Yes, sir; nobody ever bothered me at all.

Q. Did you belong to anybody before the war?—A. Yes, sir; I belonged to a gentleman in Newbern, named Smallwood; and then I came to the place where I live now.

Q. You never had any trouble in court, did you?—A. No, sir; never at all, at no time, except that I have been on the jury.

Q. Can you read and write?—A. No, sir; I cannot read and write.

[illegible] you said you had no trouble there of any kind; how did you [illegible]?—A. Well, sir, Samuel Perry was knocking around

them. He said that funds were all ready made up there for us; so we concluded to go out. I thought I would bring my wife with me, and he appointed a time for us to come. That day, though, I thought it was best to leave my wife and look at the thing for myself. He held another meeting, and he said, "Now, men, the party don't want any women out there." He said, "The party has been so badly fooled that we don't want them out there." He said, "They want to see our faces first, and know that its all right;" and that is the reason why only three women went out in that first crowd.

Q. How much did he tell you the men got out there?—A. He said we would get $15 month now, and more in the spring.

Q. When spring opened, how much were you to get?—A. From eighteen to twenty or twenty-five dollars a month.

Q. Do you know what that circular said? Was it read over to you?—A. He was reading something, but I do not know whether the circular said it or no.

Q. What do you think of Perry?—A. Sam Perry? I think he is a bad fellow.

Q. You think he is a bad fellow, do you?—A. Yes, sir; I am down on people going around among the ignorant people to fool them.

Q. He fooled you, did he?—A. Yes, sir; he fooled the whole bustin' bilin' of us.

Q. What did you find about the schools out there? That was one of his big points, was it not?—A. Yes, sir; but about the schools, I found that true.

Q. What did he say about the climate?—A. He said it was just one degree colder there than in North Carolina.

Q. What do you think about that?—A. I think he did not get that down right. But it is not the cold out there that I am standing back home on. It is my labor and forage I am after. I am frost-bitten now; I never was before in my life; and if I live I am never going to be no more.

Q. What were you doing when you got frost-bitten?—A. I was shucking corn; it was wet and muddy and miry out there.

Q. Do you think you want to be frost-bitten any more?—A. No, sir; not by him nor Indiana either. But I sort of smelt a rat when I first came to this here depot, down here. I said to him, "Why ain't you doing what you were going to do?" He said he hadn't seen the leading parties yet. I said I did not know we were going to stay here more than a day, and now it was two days; and he said it was no difference to me, and for me to keep still. I said, "What did you come to this place for?" We came here at your beck and call, and you ought to come to us now and help us out. We had to go to the other depot down here; and he began to wean off from us clean till we got to Green Castle; I went to Indianapolis, but to Greencastle I would not go.

Q. At what time did you get there?—A. I got there over night.

Q. Did you pay your own way out there?—A. I paid $19; that is what I paid to the emigrant society and the exodus.

Q. Did you pay Perry anything?—A. Yes, sir.

Q. How did you come to pay it?—A. I paid my fareage; and Perry said the head authorities said for all that had had money to pay out for the rest up here to Washington City, and from here the road was already opened for us. There were several standing around there who wanted to come, and who had no money, and I pulled out my money and paid it for them on Sam Perry's say-so. I paid that money to get here, and then I paid another dollar right here at the depot.

Q. What did you pay that for?—A. To help the others. Peter iams had his roll-book going along raising a collection, and I gave h a dollar.

Q. Where is Peter Williams now?—A. He is in a coal mine down below Greencastle.

Q. Do you know T. C. Williams?—A. No; I do not know him.

Q. Do you know Scott?—A. No, sir.

Q. Do you know Taylor Evans?—A. No, sir.

Q. Have you got any money to go home on?—A. No, sir.

Q. Where did you get the money to come here with?—A. I sen home for it.

Q. To whom?—A. To old Dr. Howard's son.

Q. Is he a friend of yours?—A. Yes, sir.

Q. Did he send you the money?—A. Yes, sir.

Q. Have you got anything to go home on from here?—A. No, sir; cost me $27 from Greencastle here.

Q. Not from Greencastle here?—A. I think that is what I paid, si

Q. They robbed you, then. Where did you buy your ticket?—A. bought it at Indianapolis; I paid my fare on the train from Greencast to Indianapolis, and bought a ticket from Indianapolis here; I thi the man I got it from said he paid $16 for it; and then $1 on top that to Greencastle was $17.55.

Q. And that is what you paid?—A. Yes, sir; that is it.

Q. How much money did Mr. Howard send you?—A. Twenty d lars.

By Senator VANCE:

Q. Did you write any letters back, or have any written, to your c ored friends at home telling them not to come there?—A. Yes, sir.

Q. Who wrote them for you?—A. One colored fellow, who went th with me; he wrote them.

Q. You cannot write yourself?—A. No, sir.

Q. Were those letters received there?—A. Yes, sir; right smart them. I got letters back from them.

Q. Did anybody deceive you about those letters?—A. I got one n to write a letter for me, I do not know who he was, and he did not w it exactly as I wanted him to, and I threw it into the fire, and burn up.

Q. What did you tell him to write?—A. I said, this is not the pl for colored folks; that they said it would be better in the spring, there was no capital or labor for them; that it was very cold, and t better not come out there.

Q. How did he write it?—A. He wrote to them to come right that it was all right, and that I was as fat as a bear, and weighed 200 pounds.

Q. How did you come to find out that he had deceived you?—. didn't seal up the letter; he wanted to send it right away; but I it for this man near me to read; I bu'sted it open, and showed it to and told him what I had told the man to put into it; he saw it, read what that white man had said, and it didn't work right.

Q. Who was that man?—A. He was a white man at Greencastl don't know his name; I don't know many folks out there.

Q. Did anybody say anything to you before you went there, or you got there, about how you were to vote?—A. Well, sir, they "I reckon you are all voters?" and I said, "yes;" but I don't k whether the man that said that was a Republican or a Democrat.

ely I caught up with another fellow, and he said, "All you folks that re coming ought to come before the 1st of May; after that we don't want no more of you." I said to the boys, "Look here, boys, this is poor encouragement; our folks in North Carolina can't get out here before that time."

Q. Do you know what he wanted them to be there by the 1st of May or?—A. No, sir; I don't know what his politics was; but he said after he 1st of May he didn't want another one of us darkies to move in here.

Q. Where was he when he said that to you?—A. It was at the depot own at Greencastle.

Q. Did he say that to anybody else?—A. There were four or five thers standing about there.

Q. You think you can do better in North Carolina than you did out ere?—A. At present prices I can.

Q. You have an opportunity to educate your children in North Caro-na, haven't you?—A. Yes, sir; we have schools there.

Q. Do you have the same chance as the white people?—A. Yes, sir.

By Senator WINDOM:

Q. How did you happen to be summoned before this committee?—A. do not know, sir.

Q. Who first spoke to you about it?—A. Do you mean before the ommittee? I don't know who was the first man who spoke to me bout it.

Q. Where were you when you were spoken to?—A. I was in Green-astle; I was talking about coming, and they wanted me to stop here hen I came through.

Q. Who did?—A. Some persons down there.

Q. Did Sheriff Lewman want you to stop here?—A. Yes, sir.

Q. Did he tell you what he wanted you to testify?—A No, sir.

Q. Did he tell you what to say?—A. No, sir.

Q. Did he tell you what he wanted you to do?—A. No, sir. He said hat they might want me before this committee.

Q. Do you know Sheriff Lewman?—A. I never saw him but three imes, and but twice to know him.

Q. Do you know Mr. Allen, his deputy?—A. No, sir; I do not know im.

Q. When did you get the money to come here on?—A. I got it last aturday; it came Thursday, but I was out in the country when it ame.

Q. Who handed you the money?—A. Sheriff Lewman got it for me; saw by the first letter where they were going to send it.

Q. Did Sheriff Lewman pass himself off on you as a Republican?—A. o, sir; he said he was a full-blooded Democrat.

Q. Did you hear of his passing himself off as a Republican on others? -A. I heard of it, but I do not know it. I saw him at Greencastle, nd then I came up to Indianapolis and saw him.

Q. It was after you was here that he gave you that money?—A. s, sir; I never got it, however, until Monday; it was on Thursday fore last, and I did not come to town until Saturday.

Q. You had talked with him about it before?—A. I said I wanted to home; he was asking me how I liked the country, and I told him, I said if I had money I wanted to go home.

Q. Did you hear anything of the Democrats not hiring your people there?—A. No, sir.

Q. Did you hear of some houses that were burnt out there?—A. Y sir; I heard of one that a tree was sawed down on it.

Q. Was that because they were going to let colored people live in —A. That is what I heard.

Q. You thought then, that if you were getting into a place wh there were such Democrats as that, it was no better than it was at home! A. No, sir; for I do not know who was doing that. I know the poor class out there are Republicans, and they do not want colored people in ther they say they take away their labor, and cut down their wages, a they are against it.

Q. You think they are opposed to your coming there?—A. Yes, si I know that they are. There is one party among the colored folks o there that do not want us to come and one party that does.

By Senator VANCE:

Q. You were asked who first told you that you must come befo this committee?—A. Yes, sir.

Q. You cannot remember?—A. No, sir.

Q. Have you talked with anybody about what you were going t swear to here?—A. No, sir.

Q. Do you know that man over there (indicating Mr. O. S. B. Wall) —A. Yes, sir.

Q. Have you had any conversation with him upon that subject?—A He said something to me about it, and told me who he was; but I di not pay much attention to it.

By Mr. WINDOM:

Q. Did you not complain pretty bitterly, while you were passin through here, about your treatment in North Carolina?—A. No, sir; never said anything about it; the other folks were talking, and I wa standing by and listening; I said that, if the prices were such as th circular said, it was better than the prices we were getting in Nort Carolina.

Q. I mean down here at the depot; were you not complaining ver bitterly down there about the Democrats in North Carolina?—A. N sir; I never said anything, except as to present prices in Indiana.

By the CHAIRMAN:

Q. You thought if you could get better wages you would go?—A Yes, sir.

Q. You believed the circular and what Sam. Perry said?—A. Ye sir.

Q. Now, you are going back home?—A. Yes, sir; I am going bac home.

By Senator VANCE:

Q. And going to stay there?—A. Yes, sir; if I ever get there.

The committee then adjourned to 10.30 a. m. Monday.

SIXTEENTH DAY.

WASHINGTON, *Monday, February* 16, 1880.

The committee met pursuant to adjournment, and proceeded with the taking of testimony.

TESTIMONY OF GREEN RUFFIN.

GREEN RUFFIN (colored) was sworn and examined as follows:

By the CHAIRMAN:

Question. State where you live when at home?—Answer. I live in Wilson County, North Carolina.

Q. How long is it since you left home?—A. Its a bout two months now, as near as I can get at it.

Q. Where have you been?—A. To Indianapolis.

Q How did you come to go there?—A. Well, sir, there came news about there in the settlement, that if we would all agree to go out to the Western States, to Indianapolis, we could live considerably better out there. Well, it get my head deranged, so I had no sense to make any bargains to work at home, and I said I would go, and I would carry my folks; but I didn't, and I put off and goes myself.

Q. Have you a family?—A. Yes, sir.

Q. How many in the family?—A. I have a wife and three children.

Q. Did you go with the first party that went?—A. No, sir; I went with the second party.

Q. Did you pay your own way?—A. Yes, sir.

Q. Do you know how much it cost you to get there?—A. I think it was $15.65.

Q. Well, when you got there, what did you do?—A. Well, sir, I done nothing for about two or three weeks.

Q. Did you get any work at all?—A. Sometimes I could get some—just a little more than enough to board me and pay rent. I tried every day to get work, except on Sunday.

Q. During the two months that you were there how much work did you do?—A. I can't tell.

Q. Did you work half the time?—A. No, sir.

Q. Did you work one day in three?—A. Yes, sir; I worked one week in about three weeks. Maybe I would get a week's work for a whole week at a time.

Q. How much did you get?—A. I got a dollar a day and boarded myself, and furnished my own tools.

Q. What sort of work did you do?—A. I was putting in sewers about the city.

Q. Did you have to furnish your own shovel?—A. Yes, sir; but they furnished the picks.

Q. And you got a dollar and boarded yourself?—A. Yes, sir.

Q. Did you find much demand there for work?—A. There was mighty few people there were looking for workmen.

Q. Were there a few or many who were looking for work?—A. There were a great many of them looking for work, for there are plenty of people there as bad off as we were.

Q. How much wages were you to get out there?—A. Fifteen dollars month on a farm, and house to live in, firewood furnished, and a cow and calf to milk extra for each family.

Q. Did you find any truth in such statements?—A. None at all, sir.

Q. Are you on *your way back to North* Carolina?—A. Yes, sir.

Q. Do you expect to stay there?—A. I'm aiming to get back home and die there.

Q. You are going to stay when you get there?—A. I am going to stay right at home and advise all the rest to stay.

Q. What kind of advice are you going to give them?—A. I am going to tell them, "You have got a home, and you stay there"; for its an abomination to go where you have got none.

Q. You speak in the church at home sometimes, don't you?—A. Yes, sir; sometimes in the prayer meetings and round about.

Q. Do you expect to speak to them about this thing?—A. Yes, sir; if I live, I expect to tell them about these things.

Q. You think it is a great outrage on your race?—A. Yes, sir; it is a regular abomination.

Q. You belonged to Mr. Ruffin, who was once in Congress, did you not?—A. Yes, sir.

Q. How have you been treated since the war down there?—A. As good as I want to be. Nobody has ever bothered me, and when I worked for them they paid me.

Q. Did you vote down there?—A. Yes, sir; at every election. I have never missed any one that I know of.

Q. What ticket did you vote?—A. The Republican ticket.

Q. Did anybody ever keep you from voting it?—A. No, sir.

Q. Did you go to court during court week?—A. Yes, sir; I go to see how court goes on and the cases there.

Q. Did you live there on the old plantation?—A. Yes, sir; I have a piece of ground there yet.

Q. Do you rent it?—A. Yes, sir; I rent from a landholder.

Q. What sort of terms do you get?—A. Well, sir, if you tend the lands and they furnish the teams and all the utensils and seed, and I do the labor and board myself, I get a half.

Q. Do you make a living for yourself and family in that way?—A. Yes, sir.

Q. When you heard of those big wages, you thought you could do better out there than at home?—A. Yes, sir; its a man's duty to do better if he can, but if you don't like it, why then don't take up with it.

Q. You don't like it, and you are going back?—A. Yes, sir.

Q. How many of your people out there would go back from Indiana if they could?—A. I know of two families, and I think they have something of the rise of eight or ten children, who asked me to do something to get them back, and I said I would do my best.

Q. And you are going to try to get them back?—A. Yes, sir.

Q. How did you get back?—A. I had worked and got seven dollars that I saved; and the man that I was with wrote for money, and they sent him $35, and he lent me seven, and with the seven I had it brought me here; and when I got here I had nothing to eat, but I was this nigh home.

Q. Did you tell the white people out there you were going home?—A. Yes, sir; I declared I wouldn't live in their State.

Q. Did any of them advise you to stay?—A. Yes, sir; they said they did not blame you immigrants for wanting to go home, but said, you try and stay until after the Presidential election, and then we think it is best for you to go home; and I said all right, and I went on my way and come here.

Q. Do you know the men who said that to you?—A. I do not.

Q. You have been raised in North Carolina, I believe. Now tell us

u found the weather out there in Indiana for your people?—A. too cold, sir.
)id you notice a good many people among your emigrants who ck?—A. Yes, sir; some two or three died in the time. There ittle children who were carried to the graveyard and some old

)o you know this man Perry—Sam. Perry?—A. I know him if I n, but I wasn't acquainted with him.
)id he make speeches down there in your country about this emi- n matter?—A. No, sir; I don't know of anybody making any es in Wilson, but when I got to town I found this thing was all gh there. I caught hold of it and it worried me so that I got

ator BLAIR. I want you to tell us how many people advised you y in Indiana until after the election?—A. I didn't take any notice nany—no more than I know this was spoke to me.
How many times?—A. Twice.
Only twice?—A. Only twice to my knowledge.
Were they there in Indianapolis?—A. Yes, sir; right in the city.
You have no knowledge of the persons who said that to you?—A. r.
And you kept quiet about it?—A. I said all right and walked on.
How many white people did you talk with while you were there? A great many.
Did you talk with them probably a thousand times?—A. Yes, sir, or less.
And twice only somebody said for you to hold on until after the on?—A. Yes, sir.
You can't give the names of those persons?—A. No, sir.
You don't know their politics?—A. No, sir.
They knew you were dissatisfied out there?—A. Yes, sir; they see that.
You don't know but what they were Democrats who wanted you y there and vote the Democratic ticket?—A. I don't know, sir.
These Democrats are pretty sharp, and up to a great many tricks, hey?—A. Yes, sir; I reckon so.
How much money did you have when you started to Indiana?—A.

How much did you pay to get there?—A. $15.65.
And it cost you something to live on the way?—A. Yes, sir.
)o you know how much?—A. No, sir; I loaned out $8 to a colored who was going on.
Then it must have cost you some $28?—A. I never counted it up.
When you got ready to go back, when did you start from Indiana? Thursday morning at five o'clock.
This last week?—A. Yes, sir.
When did you arrive here?—A. Friday night, at seven o'clock.
How did you happen to be here this morning?—A. Well, sir, Mr. s requested of me to stay.
CHAIRMAN. I subpœnaed him, Mr. Blair.
WITNESS. Mr. Barnes requested of me to stay, and so I staid.
ator BLAIR. Did anybody else request you to stay?—A. I don't if Mr. Vance didn't say he would like for me to tarry.
How did anybody know you had anything to tell about this emigra- -A. They spoke to me in the *depot*, and I said I was going home

from Indianapolis; and they asked me how I liked it, and I said I didn't like it all. I said to them "Do you know of a man here by the name of Mr. Barnes?" They said "Yes."

Q. How did you come to know him?—A. Because I was raised with him right there in North Carolina.

Q. You say you got work only a third of the time you were out there?—A. Yes, sir.

Q. If you had been at home, how much would you have gotten?—A. I would have worked every day if the weather was suitable.

Q. You could work all the time there?—A. Yes, sir.

Q. Are there any idle people down there?—A. Yes, sir; if they make themselves idle—that is all there is about it.

Q. What is the demand for labor? Is it so that the whole colored people there can work?—A. Yes, sir; if they want.

Q. From January to January?—A. Yes, sir.

Q. Do you work out yourself?—A. I farm, sir.

Q. You rent land, do you?—A. Yes, sir.

Q. You mean, then, that you can work on the piece of land that you hire?—A. Yes, sir.

Q. You don't mean that your people generally can have labor by the day, every single day in the year?—A. They don't do much of that kind of hiring down there with us.

Q. You mean, then, they can work on their land or land that they hire?—A. Yes, sir.

Q. That there are a good many days that you don't have to work?—A. Yes, sir. There are a good many days when you won't have to work if you are up with your business.

Q. And it is in that way that you mean that you have work every day in the year?—A. Yes, sir.

Q. A man can do that in Indiana, can't he?—A. I didn't inquire about that.

Q. When you got there you didn't have any such work as that to do?—A. No, sir; I didn't.

Q. But you got a chance to dig sewers in Indianapolis?—A. Yes, sir; I struck it for awhile.

Q. That is not good work for farmers to do, is it?—A. No, sir; but they tell me they don't have any use for farmers much until about March. I went round for about ten miles from the city all round. Some of them said they would take me in March, but I said I couldn't be there in March. They asked me where I was going to be. I said I reckon I would be dead if I staid there, for I must have something to eat between this and March.

Q. Yet you say you accumulated $7?—A. Yes, sir; but that's nothing to what I would get at home.

Q. You don't think you had the chance out there that you have at home?—A. Not the beginning of the chances.

Q. Isn't it a fact that a good many colored people have got chances to work, and have scattered out among the farmers and are doing well?—A. Well, sir, some of them have, and if they don't like it they say they do.

Q. If they don't like it they say they do?—A. Yes, sir; I don't see how they liked it though, when they say they can't get work and are most fit to starve.

Q. You think they don't tell it, then, as it is?—A. No, sir; I don't think so, because I could see their condition myself.

Q. At the same time they seem to like it better than North Carolina?
A. Yes, sir.
Q. And you saw many men who have families, and who want to get ck home?—A. Yes, sir; they told me so.
Q. And these are the only ones you know who want to get back?—A. ey are the only ones who told me so.
Q. You are a preacher, and a sociable sort of a man, and you go round ong them a great deal at Indianapolis?—A. I didn't have anything say of the Scriptures among them.
Q. You saw them and talked with them, though?—A. Mighty little; alked mighty little myself.
Q. But you saw most of them and talked with them?—A. I couldn't y that and tell the truth.
Q. But you saw a good deal of them?—A. Yes, sir; I saw a good deal them.
Q. And two of them said they wanted to get back?—A. Yes, sir.
Q. Well, you seem to have a good deal of feeling in this matter?—A. es, sir; I have.
Q. And you want to get back home and die there?—A. Yes, sir.
Q. But you don't want to die right away, do you?—A. I hope not, it I am going to tell them not to go out there to Indiana; I ain't going yself no more; but I shall not pester them if they want to go and find it for themselves.
Q. You think they have a right to go if they want to?—A. Yes, sir.
Q. They have the same right to go to Indiana as a white man?—A. es, sir.
Q. Did you talk with the white people out there much as to whether ney thought the colored people ought to go there?—A. No, sir.
Q. Did you see any politicians out there, and talk politics with them? -A. I don't talk politics with anybody if I can help it.
Q. Why not?—A. I don't believe in taking up too much time with that ort of stuff, and if I can get labor and get my money for it, I rather for hat.
Q. But the question is, did you talk any politics out there?—A. Not nless somebody attacked me about it.
Q. Did anybody attack you with it?—A. I told you that gentleman id, who asked me to stay until after the day of election.
Q. Were there any others who talked the merits of the political ques- ion with you; argued with you about it?—A. Not that I can remem- er.
Q. Those two Republicans or Democrats told you to stay until after he election?—A. I didn't know what their politics were.
Q. Didn't they tell you you would have an easy time when it came pring?—A. Some did and some did not; so me of them said it would be he same thing all the year.
Q. Some of them said it was better for you to go out?—A. Yes, sir.
Q. You don't know whether they were Republicans or Democrats?— . I am certain there were two of them who were Republicans; they ere the same two who sent off my letters.
Q. They were Republicans?—A. Yes, sir.
Q. They were not anxious, then, for you to stay?—A. They were Re- blicans, and they said I had better go back.
Q. They advised you to come back home?—A. Yes, sir.
Q. Were they very strong Republicans?—A. I don't know, sir.
Q. Were they good looking men?—A. Yes, sir; they looked like in- ligent men.

Q. And they advised you to leave Indiana?—A. Yes, sir; they thought it best, as they said we were most on to starvation.

Q. These people who go out there didn't take money to buy land, and so they have to work and earn some before they can make any purchases?—A. Yes, sir.

Q. If a man went to Indiana with three or five hundred dollars in his pocket he could do as he pleased, could he not?—A. Five hundred dollars wouldn't go far with him there to buy land.

Q. How far would it go in North Carolina?—A. A right smart piece.

Q. It wouldn't buy much in Raleigh would it?—A. Well, sir, I haven't been there since I was a boy.

Q. Well, $500 wouldn't buy much in a city?—A. I think not.

Q. And wouldn't do so in Indianapolis?—A. No, sir; I don't suppose it would.

Q. Suppose you were to go out into the unsettled parts of Indiana as in North Carolina, then it would go pretty far, wouldn't it?—A. I can't keep up with you about that; I am telling only as far as I went.

Q. Well, if you were to go out in the country it would go farther than in the city?—A. I don't know; I have not any experience of it.

Q. (By the CHAIRMAN.) Mr. Blair has asked you if you believe it is right for a man to go anywhere in this country that he pleases, and you said you do think so. Do you think it is right to be induced to leave your home and go away where you are not known, and where you cannot get work, by means of falsehoods and misrepresentations?—A. No, sir.

Q. You don't think a man ought to be induced in that way to go where he would be worse off?—A. No, sir; I don't think so.

Q. You think that has been done in this case?—A. Yes, sir; with me and all the rest.

Q. And that is the feeling of the colored people towards this man Perry?—A. The feeling, so far as I presume of it, is great dissatisfaction with him.

The CHAIRMAN. Mr. Syphax, I will swear you as the next witness.

The witness, JOHN B. SYPHAX (colored), addressed the chair:

Mr. Chairman, allow me to state here that the testimony which I have to give before your honorable committee will relate altogether to the Senator from Minnesota, Mr. Windom, who is a member of this committee. I expect to charge him, and I believe that I can prove that he originated this matter, and I make the special request that he be here to listen to it. I shall regard him as the originator of this movement, and I shall be glad to have him here and hear my testimony.

The CHAIRMAN. Very well, we will not examine you until he is present.

TESTIMONY OF J. W. DODD.

J. W. DODD was sworn and examined as follows:

By the CHAIRMAN:

Question. You may state where you reside.—Answer. Indianapolis, Ind.

Q. State what positions you have occupied in the State.—A. I have occupied official positions in the State for some years, but not now.

Q. You have been auditor of the State?—A. I have been for two terms or four years.

Q. You reside at Indianapolis now?—A. Yes, sir.

Q. Has your attention been called to the matter of this emigration of

witness produced a paper containing names, and then answered:)
'ell, I talked with Needham Green and Peter Dew, John Taylor,
Villiams, a man named Miller, and Robert Mawley.
o you know of Needham Green making a statement in writing?
didn't see it; I only know what I heard him say.
o you know of Peter Dew making a statement?—A. Yes, sir.
id you see him make it?—A. I don't know as I did. I think I
sent when he signed it; I wasn't present when he made it.
ee if you can identify that as a copy of the paper you know of his
' (handing witness a paper).—A. I am not certain, sir, that I
sent when he made that statement, but I heard him state all that
re.
' you can identify that as the statement substantially made to
so.—A. Yes, sir; I heard him state all that is here.
ou may read that then.
WITNESS (reading): "I, Peter Dew, make the following statement
wn free will this the 19th day of June, 1880: I, with 400 other
emigrated to Indiana four weeks ago. I came here through pre-
romises made by Samuel Perry and Peter Williams, both of whom
ublicans. They represented that I would receive for labor on
$15 per month, provisions, and a cow and calf, and in the city
e paid $2.50 per day. They also said that each one who came
e given and furnished a house; that we could buy land in any
at we wanted for from one dollar to a dollar and a half per acre.
e of these promises is true, so far as I know. I haven't found
f any kind except at a coal yard and stave factory, where I
l four days and received $2.50. I can't find any work; my money
one, and I will have to call on the city for help. I am a Repub-
nd I came here expecting to vote that ticket." Yes, sir, he made
se statements to me. I am not quite sure that I was present when
e this statement.
id he say anything to you about going back?—A. He said he

would be paid from two to three dollars a day, and that houses were furnished there waiting for the emigrants?—A. Yes, sir; I think all four said so.

Q. Do you remember Green and the others, whether those or not made particular statements that Perry and others told them that there were 500 carpenters pushing all the time building homes for emigrants?—A. I think one of them made that statement—one of those whose names I gave you.

Q. How did they say they found things out there agreeing with those promises?—A. They said they had been deceived and disappointed, and if they had their way about it the colored men in North Carolina would know the facts and be told to stay at home.

Q. Did they say anything about going out there to vote the independent Republican ticket?—A. Some of them said that; I asked Peter Dews about it and he would not say what was the purpose, but he expected to vote the Republican ticket. He thought he was expected to do that, and that all of them were. Some of them said they were told before they left North Carolina that they were expected to be good strong Republicans—valiant, stout-hearted Republicans.

Q. Do you recollect a man named John Taylor?—A. Yes, sir; he was in the party, and that is what he said.

Q. He says here, "I was induced to leave North Carolina by Sam'l Perry and Williams, who are Republicans. They told me I would be paid $2 and $3 per day with home furnished; firewood, and cow and calf free; that they were furnishing clothing, &c., ready; that land would be furnished in such tracts as the emigrants wanted, and they would have from six to seven years to pay it in?—A. Yes, sir; I think all four said so.

Q. That these lands could be had from a dollar to a dollar and a half per acre?—A. Yes, sir.

Q. And that a hundred acres could be bought by each emigrant?—A. Yes, sir; They also stated they could have a number of years to pay for it in.

Q. Did any of them speak about what time they were expected to go or to get to Indiana?—A. I don't think I heard any of them say anything about that.

Q. What did they say women's wages would be as represented to them down in North Carolina?—A. They said it was represented that plenty of work could be had for them as house servants, and that they could get three to five dollars per week.

Q. What are the wages of good servant girls in Indiana?—A. Well, sir, one of our best servants gets from two and a half to three and a half per week.

Q. That is for choice women?—A. Yes, sir; they get from ten to fifteen dollars per month.

Q. You have seen some of the women folks who came with these emigrants?—A. Yes, sir; some of them.

Q. Are they such as would be employed to do house work in Indianapolis?—A. No, sir; I think not. They are women with children, and a good many of them small children such as would not be desired in such a place.

Q. You talked with Louis Williams, did you not?—A. Yes, sir.

Q. He is the same man whose statement was read here by Mr. East?—A. Yes, sir.

Q. He made substantially the same statements to you?—A. Yes, sir *I believe* I saw him make that statement.

Q. Do you remember a man by the name of James Wooten?—A. I am not positive, but I think so. I think he was one of the parties I talked with.

Q. When did you have those talks with those parties?—A. I saw them in the street, and in the room in the Sentinel building, and in the rooms of the office of the auditor of state.

Q. Were they all manifesting a wish to go home, if they had the means?—A. That is what I understood from them.

Q. Were they all men of family?—A. I think most of them were.

Q. Do you remember a man by the name of Samuel McKay?—A. No, sir; not by name.

Q. Did any of them complain of being abused in North Carolina?—A. No, sir; the men I talked with said they were well enough off in North Carolina and making a living. Some of them said they had disposed of their little property to get there to Indiana. Some of them had sold a little ground, and a cow and calf, and a horse and wagon to get the means, and had spent it all and had arrived there destitute.

Q. You have spent all your life in Indiana, Mr. Dodd?—A. Yes, sir; since I was a boy.

Q. And about twenty-five years in Indianapolis?—A. I went there in 1856.

Q. Do you know a much more unpromising place where a man could go to look for work at this time?—A. I wouldn't advise anybody to go there at this time.

Q. White or black or any color?—A. No, sir; I think for two or three years past the supply for every kind of labor has been ample. The reason is this, that Indianapolis had a very rapid growth up to 1873. It was very prosperous and buildings and improvements were going on very fast. The town and country round were filled up with laborers, and we had inflation in prices, but that suddenly stopped and these men are there, and there are more of them than can be employed.

Q. Isn't there much suffering among the poorer classes, and wouldn't many of them die from want unless they were helped by public charity?—A. Yes, sir; the record of the township trustees show that last winter many of them were suffering and had to be helped. It is a very unpromising place just now for poor people. Perhaps it is a little better now than for several years past, and I hope it is.

Q. You are acquainted with the leading men of Indianapolis, and through the State?—A. Yes, sir; I believe I am.

Q. Have you noticed any Republican newspapers discouraging this immigration?—A. No, sir; I don't think I have. I don't remember now but one paper ever saying anything on the other side of the question, and that is The Indianapolis News.

Q. And it is not square in the traces, is it?—A. It doesn't call itself a Republican newspaper; no, sir.

Q. It calls itself an independent newspaper?—A. Yes, sir; that is what it calls itself.

Q. You haven't noticed any other paper of even Republican leaning that has discouraged this movement?—A. No, sir; I think they have all encouraged it, so far as I know.

Q. What is the feeling in Indianapolis as to whether this is a political movement or not?—A. I think it is the opinion of every man of reasonable intelligence who reads the papers, that it is a Republican movement for the purpose of carrying the State of Indiana. I think that is public opinion. It is evidenced by the fact that the Republican news-

papers approve it, and men who talk on the streets chuckle at [redacted] Democrats swear it.

Q. The truth is, it is as much a question there as any that h[redacted] been before them?—A. Yes, sir; and there is another reason [redacted] that, and that is that you can't account for it on any other ground. There is no reason why they should go there, except to be used for that purpose. They leave a climate that is hospitable and congenial to them, and go where they can't get work, and where they are unsuited; their native country to a country where they are not wanted, where they are not acclimated; to an inhospitable country where they suffer and die; and for all this you have to give a reason, and you can't find it anywhere except from the evidences I have given you: that is, the movement is for political purposes. The real movers may be concealed, but they pull the trigger all the same. That is my judgment of it.

Senator BLAIR. Have you ever been to North Carolina?—A. No, sir.

Q. Have you ever heard of any colored people being subjected to hardships and abuses there in the last fifteen years, or in the South generally?—A. I don't know as I have; my impression, from what I have seen and heard from others, is that they are doing well.

Q. You don't know that the people who live there have lost some of their rights, and think they can do better elsewhere?—A. No, sir; none that I have known have said so.

Q. How many have you known?—A. I think I have given you the names of all of them.

Q. Then you have seen those only who have been scraped together gotten up by the Democratic strikers and feuglemen of the Sentinel office and State House, who were trying to get these statements to be sent here as evidence before this committee; and you think that is the sort of evidence that should be sent here to prove that men are taken from that State and brought to Indiana to vote the Republican ticket?

(The witness hesitating ——)

Mr. BLAIR. I suppose you don't understand the question.

The WITNESS. No, sir; I didn't think you were asking a question.

Q. You were summing up the reasons, or rather stating that there was no possible reason for their going to Indiana, except that the Republicans there wanted them to vote?—A. I didn't say there was no possible reason; I said it was the only reasonable explanation for their going.

Q. You are aware of the fact that a great many colored people do give reasons for leaving North Carolina and other portions of the South that are different from that one?—A. I have not seen any from any other portion of the South except North Carolina.

Q. And of those you have seen none except those who have given these statements?—A. I have never seen or heard of anything to the contrary, except one statement which I saw in a negro paper there in Indianapolis.

Q. You stated that these statements were all you knew anything about?—A. They were all the written statements.

Q. Then upon these statements of these men you make up your opinion as to the reason why the great mass of them leave North Carolina?—A. That is the reason I have heard from all I have talked with; the same given, for instance, by the man who has just left this chair (Green Ruffin).

Q. Did you hear him make these statements anywhere but here?—A. No, sir; but I have heard the same things from those in Indiana.

Q. Then you didn't make up your mind here?—A. No, sir; I had it pretty well made up when I left Indiana.

Q. Wasn't your mind made up before you left Indiana that the Republicans were making them leave North Carolina and going there in order to get their votes?—A. Yes, sir; I think so still.

Q. And you say these statements were all that you heard from the colored men as to why they were induced to leave North Carolina?—A. Yes, sir; these statements, and my talks with some eight or ten of them.

Q. Did those men, any of them, make any statements of the hardships they endured at the South?—A. I think I stated that all of them said they were doing well and were treated well there.

Q. Have you stated all the grounds upon which you base your opinions that this was a political movement?—A. Yes, sir; I think I have.

Q. And it is based on the statements of those eight or ten colored men who were well off in North Carolina?—A. Yes, sir; and who were induced to go there by false representations.

Q. If all the rest, leaving out these ten, were to give a different reason you would change your opinion, would you not? If they stated that they came North because they could educate their children better, and get better wages, and enjoy their civil rights, would you alter your opinion?—A. If there were any evidences that these statements were true I would; but if the men were paupers and beggars there in Indiana, and were still to tell me they had plenty of work when I knew they had not, I would not believe them.

Q. You would believe them, though, until it was proven that they lied?—A. Yes, sir; if the evidence was right there with them.

Q. Suppose the large mass of them said they came there to better educate their children, and to regain their political rights, and that by the system of labor in the South, under the landlord and tenant act, he was deprived of the fruits of his labor, and expected to do better in Indiana, then you would believe him?—A. Yes, sir. Without other evidence I should have to believe him.

Q. If the colored man came and said he had worked here in the South, and was paid in orders on stores, &c., and was not enabled to enjoy the fruits of his labor, wouldn't you believe him?—A. Well, sir, you put a hard hypothetical case.

Q. Wouldn't you believe him if he said that?—A. Well, sir, from the evidence that I have had from them, I think I would believe him as quick as if he had said that two and two make five.

Q. The evidence that you mean that you have, is contained in these statements. Now, suppose that five times as many were to give other reasons, wouldn't you believe them?—A. Not unless I had some other proof of the state of things than I have got up now.

Q. If they were to say it wasn't a political movement, wouldn't you believe what they did say?—A. It would require some other proof to make me believe it.

Q. I take it that your feelings and political prejudices, are pretty strong on this subject?—A. I don't know as I have any prejudices on the subject. I think that I could demonstrate that my opinion is a fact, or that there is sufficient reason for a man to have such an opinion.

Q. You said, I believe, that there was no cause for it except a political one?—A. I say there has been none furnished thus far.

Q. You say, in effect, that you would not believe what these people say as to their treatment down there. Now, are you not unreasonable in taking these statements of eight or ten persons to be true, because they agree with you, and refuse to take the statements of fifty others

who say different?—A. I don't know anything about them. I have never heard those statements.

The CHAIRMAN. Did you hear the man who was sitting there a few days ago state that he was a slave at the end of the war, and now had property and white tenants on his land, &c.?—A. Yes, sir.

Q And you were impressed with the belief that in a State that would allow a man to do that, wasn't a very bad place?—A. Yes, sir; those are among the things which go to make my opinion. My opinions are made up from what I see and hear and read.

Q. And you think there is no reasonable cause for this exodus, unless it is a political one?—A. No, sir; I don't think any man can give a good one that will be different.

Q. You think so, too, because the entire Republican press of the State, while they don't approve of it, don't disapprove of it?—A. Yes, sir; that's a fact.

By Senator BLAIR:

Q. Did you hear a colored witness who testified here, and who said that out of the entire population of his county he only knew two colored men who owned property?—A. No, sir.

Q. And that the colored people were in the majority in his county?—A. I think I heard one say so.

Q. What would you think of the state of society where a majority of the people in the county—heads of families—in fifteen years of freedom were not able to accumulate enough property to acquire a homestead! What do you think of that state of society and laws?—A. That is another hypothetical case of yours. I would have to know the facts before expressing an opinion.

Q. If that is a fact what do you say of it?—A. I would say that those men who had not acquired anything were not a very thrifty set of men.

Q. Suppose the laws and the influence of the dominant class are such that they could not do it?—A. I could not suppose that, because the very evidence you refer me to is different. They said that the laws are good and equal as to whites and blacks; that they had voted as they believed.

Q. You don't seem to be disposed to answer my question except on such evidence as you believe yourself. When the chairman asks you a question which is supposititious, you answer it, presuming that it is true?—A. Mr. Senator, when that state of things is presented to me as a fact, then I can answer it.

Q. And you won't until then?—A. I don't know what I might do if the state of facts were presented to me as true. The broad fact is, if a man reads the newspapers in Indiana he must think it is a political movement, and intended to carry the State of Indiana for the Republicans. I believe if I were allowed to make a speech of thirty minutes, I could make you believe it.

Senator BLAIR. Well, that is your opinion, but it is not the public opinion of Indiana. We have had a plenty of evidence here to the contrary.

The CHAIRMAN. As Mr. Blair is making a statement about the public opinion of Indiana and the evidence, I will make one myself, and say to you, Mr. Dodd, that there is plenty of evidence here that what you say is true.

On motion, the committee adjourned to 10.30 a. m. Wednesday, February 18, 1880.

SEVENTEENTH DAY.

TESTIMONY OF J. B. SYPHAX.

J. B. SYPHAX (colored) was sworn and examined, as follows:

The WITNESS. Before you proceed, Mr. Chairman, to interrogate me, it may be proper for me to say that I am pleased to answer any question that any member of the committee may ask, or to go on in a general way and make my statement, just as it may suit the committee.

The CHAIRMAN. After I ask you a few questions you may go on and make your statement. Give us your name.—Answer. John B. Syphax.

Q. Where do you reside?—A. At Arlington County, Alexandria, Va.

Q. How long have you resided there?—A. It is my birth place. I am living now right where I was born.

Q. What is your age?—A. Thirty-eight, I think.

Q. Mr. Syphax, the reason that I had you subpœnaed was, that I saw your name appended to a printed report which had been made to a meeting of your people on the subject of the exodus. The matter attracted my attention, and I had you subpœnaed in order to enable you to give the committee your views upon that subject?—A. Well, Mr. Chairman, in so far as any information that I may have touching this matter is concerned, it is rather of a peculiar character, and I suppose it will be necessary for me to make some reference here just at this point. I have some papers in my pocket to which I can refer, I suppose, as the committee desires information.

Q. You may state, in passing, what your politics are.—A. Mr. Chairman, I have never been a slave to any party, but I am known in the State of Virginia as affiliating with the Republican party. I hold the local office of justice of the peace, elected on a Republican ticket.

Now, sir, in the beginning of this matter, so far as the immediate cause of the movement is concerned, as I said yesterday, and as I very significantly indicated, that I would hold the very distinguished member of your committee and also of the Senate of the United States, Mr. Windom, responsible for it. I know nothing concerning the origin or causes of the exodus; yet the resolution and speech made in the Senate by Mr. Windom, of Minnesota. I think I will be able to state to the committee that my judgment in that particular is correct.

Now, when this resolution was first offered, or before it was offered in the Senate, there is a man there who sweeps the floor of the American Senate, and one or two other colored men in this city, who were requested by the Senator from Minnesota to come to him and request that he should originate something of this character touching the status of the colored people in the South, for what purpose I have been unable to learn. After reading his resolution, after that, in some of the newspapers here, and regarding the matter as being quite a startling and extraordinary position to be assumed or taken by either a Republican or Democratic Senator, I came to the Capitol, and went into the document room of the Senate and requested a copy of that resolution. While there a gentleman came in who was an employé in the Senate—I think he occupied the position of doorkeeper. I think he comes from the State of Rhode Island, and is a colored man, and I think his name is Gaskins. He thought, like other colored men who had been gotten in to express an enthusiasm for the movement, and he made some statements to me.

I desire to be strictly truthful, and let me say that I speak the truth because I have some feeling in this matter, for it goes beyond party feel-

g, and so far as my testimony is concerned it will not be for the pur ose of giving any particular consolation to either the Democratic or epublican party. I think my head is pretty clear as to that. While eading this resolution in the presence of an ex-member of the legisla- ure, a man who served in that body with myself, this man Gaskins ame up and said to me (of course I suppose he was an ignorant man, and knew nothing of the matter at all), but he said to me, "Well, I hope you heartily endorse this movement, because Senator Windom has said that when he makes his speech in the Senate on this question he desires to hold in his hand letters, communications, from 500 colored representative men." That was all about that he said to me.

But to show you that I have acted perfectly square and honest, I went directly to the door of the Senate and met the Senator from Minnesota. I inquired of him when he would make his speech on this question, and he said to me Friday, perhaps, if he could prepare his notes and get ready. I don't think the speech was made on Friday, but I was in the gallery and heard it, and I went at once to him, and before he made his speech here in Washington the past January, the 29th of January, 1879, I think it was, I addressed the Senator a letter on my own responsibility, and as one identified with this people, whose interests were called in question, representing myself and nobody else, and I have that letter here over my signature.

Q. Do you desire to make it a part of your testimony? If so, just read it so the reporter can take it.—A. They have it headed, "Moving the blacks about—A colored Virginian legislator who does not agree with Senator Windom—Mr. Syphax as a leading colored man."

I put this in the post-office addressed to the distinguished member from Minnesota. This was the beginning of the matter, so far as I know it, and as I said before, I am at the disposal of the committee to answer any questions, or if they desire me to go on and make any further statement.

The CHAIRMAN. Go on Mr. Syphax.—A. After this, there was much confusion over the subject, and having thus committed myself in this way, I had but one object in view, and that was to defeat the movement. The letter was published in North Carolina, there in the city of Raleigh, last August. After that I thought it proper that we should have a meeting in the city here, and have an investigation here at the very capital. I made some such proposition, and we had the meeting, and I offered a resolution, which is here in this newspaper, with this report in it. I will only read it for the committee.

(The witness read the resolution.)

I made the same charges in this report, and I am ready now to do the best I can to sustain the assertions I have made.

By Senator WINDOM:

Q. Have you told us all you know about it?—A. I may know some thing else. The better way is to interrogate me. I am in your hand

Q. I want you to tell all you know. I want you to tell it right o in your own way.—A. I don't know that I can suit you in that way.

Q. I ask you if you know anything more about this movement?— That question isn't the one to ask me.

Q. I want to know if you know anything more about it?—A. I d know that I have anything more to say.

Q. Are you keeping back anything that you do know?—A. I d know as I am. When the chairman tells me that I am in the han gentlemen to be interrogated, I take it that that is the proper cour *the examination.*

that all you know about it?—A. I guess that is all.
ıve they any lunatic asylums in Virginia to which colored peo-
ıdmitted?—A. In the State of Virginia, Senator?
es, sir.—A. We have two there, one for colored people and one
e people, and when we find people there who don't understand
ves we send them to one or the other.
ow did you escape?—A. If the Senator wants to go to one of
nd will go to my county, we will send him.
ow did you escape from one?—A. They released me on the sup-
that I would interview you, and get you to go there.
nd you came here to interview Mr. Voorhees and other members
ommittee?—A. No, sir; not particularly.
ıt you have sworn that you were released?—A. Of course the
will show what I said.
ertain?—A. If the Senator wants to make anything out of me in
y, or begin his bulldozing, he can do so.

y the CHAIRMAN:

didn't understand you, Mr. Syphax, to swear that you were re-
rom a lunatic asylum, but that you made that statement in the
ırit of badinage that the Senator from Minnesota was using?—
, sir.
ou were not, in point of fact, ever released from a lunatic asy-
A. No, sir.
ou are a justice of the peace, elected by the Republican party?
es, sir.
CHAIRMAN. And I think that you are about the best one of that
ıat I ever saw.

y Senator WINDOM:

ou say you wrote that letter to me?—A. Yes, sir.
ou didn't get any answer to it?—A. No, sir. Any more ques-

Q. How long have you been away from there?—A. Three weeks.

Q. What are you doing up here?—A. I came up here the time the emigrants was going up West, and I stopped here.

Q. What made you stop here?—A. I heard there was no getting along for a poor man up West, and I stopped. I have no money to back me up, and they said a poor man couldn't get along there, so I stopped here.

Q. Who told you that a poor man couldn't get along there?—A. I can't remember, but he was a man who was going along back home.

Q. He had been out to Indiana?—A. Yes, sir.

Q. And he said there was no place for you out there?—A. Yes, sir.

Q. Why don't you go back to North Carolina?—A. I had run through all I had, and I staid here.

Q. Have you had any work since you have been here?—A. Yes, sir; two days I worked at Mr. Smith's mill.

Q. Are you going back when you can?—A. Yes, sir.

Q. Have you seen Sam Perry since you have been here?—A. Yes, sir.

Q. What did he say about how they were getting along out there?—A. He said he went through here about two or three weeks ago, and that he went to the barracks out there, where they were crammed in as thick as they could be with colored people from the South. He said he was going there; that he went to stay all night; that there were two or three who died when he was in there, and he wouldn't stay.

Q. What did Sam Perry tell you down in North Carolina?—A. I didn't hear Sam Perry speak.

Q. What did Talor Evans say?—A. He said any colored man, if he tried to get along, could make two or three dollars a day out there, and furthermore said that the colored and white people were about on an equality—all sociated together.

Q. He said they all sociated together?—A. Yes, sir; I heard him speak that.

Q. Did he say anything about the chance a colored man had to get married with a white woman?—A. He said there was no difference out there; that if a man was any account, and any kind of looking colored man, he could get married with one kind as well as the other.

Q. Are you a single man?—A. I am a married man with four children.

Q. Are they at home?—A. Yes, sir. They are at Goldsborough. My wife has been cooking for John Powers for four or five years.

Q. Where is this man Evans?—A. I don't know, sir; I haven't seen him since about a month ago; he came along here with a lot of emigrants going up West. He went on through, but I hear he has been here since.

Q. What do you think of him?—A. I don't think much of him at all.

Q. You don't believe what he told you?—A. No, sir.

By Senator BLAIR:

Q. This is a committee appointed under a resolution of the Senate to investigate the causes of the exodus. Won't you tell us what you know about the causes of the exodus?—A. I have told you as near as I have knowed them.

Q. What is the reason that you came from North Carolina? Was it on account of all these things that you have stated?—A. Yes, sir.

Q. You thought, among other things, if you went to Indiana, a black man could marry a white woman the same as if she was black?—A. I didn't have anything to do with that, because I was a married man. I started there to make a better living.

Q. Then that privilege of marrying didn't influence you?—A. No, sir; *it didn't.*

. Then I want to get at the exact reason why you left?—A. The on I left North Carolina was because I thought I could make a better ng there than in North Carolina.

Q. That was in Indiana?—A. Yes, sir.

Q. Have you been there?—A. No, sir; but I have heard from there.

Q. You have heard stories both ways, haven't you?—A. I can only stify to what I heard; I know I can get along better in North Carolina an the way I hear from Indiana.

Q. How do you know that that which you hear is true?—A. Because have seen people who came from there.

Q. Haven't you seen anybody who told you you could get along better here?—Yes, sir; but they live in North Carolina.

Q. Do you mean Perry and Williams?—A. Yes, sir; they lived in North Carolina.

Q. They have been there some time, haven't they?—A. Yes, sir; but hey haven't been there to work.

Q. Well, pretty much all the colored people who have been to Indiana stay there?—A. Gone where?

Q. To Indiana.—A. You mean who went from North Carolina?

Q. Yes, sir.—A. I have seen one or two who have gone back.

Q. Don't you know that most of the colored people—industrious, sensible, economical colored people—who are there, are doing well and propose to stay?—A. I don't know nothing, except what I hear.

Q. You came here and stopped?—A. Yes, sir.

Q. Is everybody who has gone out there starving? Is that what you hear?—A. The way they talk they are starving pretty bad up there. That is the reason I stopped here.

Q. You have been in Washington ever since?—A. Yes, sir.

Q. Then, this is a bad place for colored people, too?—A. Yes, sir; I could make a living if I could get the work and they would pay me.

Q. Don't you believe if you were in Indiana, and disposed to work, you could get all the work you wanted?—A. I don't know anything about that.

Q. If you didn't know how it is, and don't know that the stories you hear are true, why is it that you say they are false, and that the people are not doing well out there?—A. Because the people who come from Indiana say they have not done a lick of work since they have been there, and that some are there who can't get away.

Q. That is what you hear?—A. Yes, sir; that is what these men say who came from up there.

Q. How many have you heard say so?—A. Two or three.

Q. You have seen or heard from very few of them?—A. I have heard mighty smart from up there.

Q. Who have you been with and who have you talked to since you have been here?—A. I haven't associated with anybody much. I have been with Perry two or three days, walking about some.

Q. How did you happen to be here to testify before this committee?—A. I was up here by the stairs in the Senate when I was subpœnaed.

Q. Was that when we had a hearing in Mr. Voorhees's room?—A. No, sir; I don't know anything about that.

Q. How long has it been since you were summoned?—A. To-day.

Q. When are you going back to North Carolina?—A. Some time next week.

Q. Have you got the means to go on?—A. Yes, sir.

Q. What amount will it take?—A. Thirteen dollars and fifty cents.

Q. Where did you get it?—A. I had the money when I came here. Do you want me to tell how much I had?

Q. Yes, sir.—A. Well, I don't think it is right to do that.

Q. You had money enough to go back on all the time?—A. No, sir.

Q. Have you got enough now?—A. No, sir.

Q. How much have you got?—A. Eight or nine dollars.

Q. Have you had it all the time?—A. No, sir; not always.

Q. How are you going to get the rest of the money to get home with?—A. Work for it.

Q. Who for?—A. For anybody.

Q. Who for particularly?—A. I don't know yet.

Q. You know you are going to work for it?—A. Yes, sir; I am going to work for Mr. Smith, down at the mill.

Q. How much do you get?—A. Ninety cents a day.

Q. From now until next week, how much can you earn?—A. I don't know.

Q. What time are you going to start home?—A. I don't know, sir.

Q. Has anybody promised you the means to go back on?—A. No, sir; nobody has promised me anything. I may stay here two or three weeks, but I am going back to my wife and children.

Q. Well, in North Carolina, did you make a living?—A. Yes, sir; I worked for Mr. Daws eight years, and for Mr. Galloway. I can tell you all that I worked for.

Q. Do you own any lands?—A. No, sir.

Q. Have you worked hard all the time?—A. Yes, sir; I work for my living.

Q. How much did you work?—A. Nearly all the time.

Q. On an average of three-fourths of the time?—A. Yes, sir.

Q. How much did you get? Did you work all the day?—A. Sometimes.

Q. How much did you get by the day?—A. From 75 cents to 60 cents.

Q. Did you board yourself—take care of yourself out of that?—A. Yes, sir.

Q. Did you work some by the month?—A. Yes, sir; for eight years.

Q. What did you get then?—A. The first year I got $12 and from that on down to $10 per month.

Q. Then for eight years you got from $12 to $10 per month.—A. Yes, sir.

Q. How were you paid? In money or in goods out of the store?—A. There was no store there.

Q. How were you paid?—A. In money.

Q. You say there are no stores about there?—A. Yes, sir; there are in Goldsborough, but I was three miles from town. I worked eight years from 1871.

Q. Did you work all the year during those eight years?—A. Yes, sir; the whole year round.

Q. And you had $10 to $12 dollars per month all the year round?—A. Yes, sir.

Q. And that is all you had to support your family with?—A. No, sir; they allowed me half of every other Saturday, and a horse and plow to work a little land they let me have, and I raised a little cotton and a little corn on my patch.

Q. That would be a day you were allowed in each month?—A. Yes, sir.

Q. Did you have a house to live in?—A. Of course they furnished me *a house.*

Q. Was there a school near by?—A. Yes sir.
Q. How much of the time each year?—A. I think it is a three or four onths' session.
Q. This wasn't a mixed school, was it, but a colored school?—A. Yes, r; it was a colored school.
Q. Had you during these six years been able to save any money?—.. If I had taken care of it I could have done so.
Q. If you had done your best, how much could you have saved?—A. 'rom the time the vegetables came off, I could have saved per month hree or four dollars.
Q. You didn't save any?—A. No, sir; because I run through it.
Q. You spent all this money, then?—A. Yes, sir; one thing with the colored people is that they buy every kind of something to eat.
Q. You think it is wasting money to buy something to eat?—A. I don't think the colored people ought to buy everything that they have got money to buy of, but put some of it away.
Q. How did you spend yours?—A. Buying something to eat.
Q. What did you buy to eat?—A. I couldn't tell that.
Q. And you think it is wrong to spend money to buy something to eat with?—A. I could have got along with out it.
Q. You would have gotten on comfortably without spending money?—A. Yes, sir; I could have lived on meat and bread as well as on the fine victuals that I had.
Q. What were the fine victuals that you bought?—A. Well, chickens and eggs and butter, and things of that kind.
Q. And you think it is out of the way for a laboring man to have them?—A. They might had them sometimes, but not as a general thing.
Q. How many chickens a month would you buy?—A. I don't know.
Q. How much eggs and butter?—A. I couldn't tell, sir.
Q. Do you think it would be unusual to have them in Indiana?—A. No, sir.
Q. Don't you know that they are common food for laboring people out there?—A. No, sir; I don't know anything about that.

TESTIMONY OF R. C. BADGER.

R. C. BADGER was sworn and examined as follows:

By Senator VANCE:

Question. Mr. Badger, you have been summoned before the Exodus Committee to give us the causes of the exodus of the colored people from North Carolina, and, as preliminary to that, I will ask you to state what is the condition of the colored people in regard to their political rights, and otherwise. What is your profession?—Answer. I am a lawyer.
Q. What are your politics?—A. Well, sir, I belong to the honest-money branch of the Republican party. I believe in a government capable of keeping peace between the States, and in the States, and protecting people in the States, and a man at the head of the government who can carry these things out.
Q. What positions have you held in North Carolina?—A. I was twice n the general assembly, and last year was in the constitutional convention of the State. I was justice of the peace, and recorder of deeds; have been prosecuting attorney *in the* county several terms, and have

been United States district attorney for the western district of North Carolina, but finding myself in discord with the present administration, I resigned last year.

Q. Will you please state now the condition of the colored people in North Carolina?—A. As you know, Senator, I am intimately wrapped up in their prospects. I was opposed to slavery. I have lived with them all my life, and studied their character. They are slowly developing in North Carolina in my section of the State. I am from the city of Raleigh. They are beginning to accumulate property, and becoming self-reliant. They were not so until very lately. They were not self-reliant, but they are slowly and gradually improving. If the committee will reflect that for two hundred and fifty years, taken from a barbarous country, and kept in slavery, and now allowed to own property, they will understand the condition of the negro; but there is a slow and gradual development in my section of the State. When the war ended both the blacks and whites went together, and all utterly bankrupted as to property. Those who cultivated the soil had to go into the control of men who made advances, and they made their advances at from 15 to 25 per cent. on the price of the things advanced. Extreme poverty has by degrees brought them out, and, in my section, they are getting along reasonably well. They don't get exact justice in the courts. They are easily convicted of larceny, and, frequently, in my judgment, on insufficient testimony. I know some of our judges, and most of them have set aside verdicts that were wrong, and our supreme court never fails to do them justice. There was a time in 1871 up to about two years and a half ago, that they were treated with great barbarity, during the time of the ku-klux, but the situation and present relations between the races I think quite as good as could be expected among a people divided so by color. There is that distinction which I think would prevail against them anywhere, where they would go in large numbers. I took occasion to consult the colored solicitor of our circuit after I received the telegram of your sergeant-at-arms, and he goes further, and says that he sees no distinction made between them on account of their color at all. I do. The old loco-focos (that is what I call them, though some people call them bourbons)—the old loco-focos down there cheated them out of their votes, but I don't think that has had anything to do with the exodus.

One distinguished member of your committee got 2,700 more votes down there were voters in his party in the State.

Q. Do you think, Mr. Badger, there is any necessity for that exodus from our State to Indiana?—A. I don't think there is any necessity for the exodus from our State to Indiana. I state what I believe to be a fact, that these colored people will be unable to compete with the white laborers out there. Like most of the men of his kind, the negro is bound to sing and have a good time, and if he was cutting grass with one of those mowers that are used in Indiana, he would either fall asleep on the seat, or run his knife against a rock, if there was one in the field. I think they are going out there to meet starvation.

Q. From what you know, do you think they would improve their social and political rights by going there?—A. I have never been in Indiana. I have been in Ohio. I think the humanitarians out there would treat them better probably. They have almshouses out there, but I think in the southern part of Indiana they would not get along so well.

Q. Will you state what has been done in North Carolina—what is be*ng* done towards educating the colored people, giving them all the

enefits of participation in the government?—A. Except in the matter f university education they have the same rights as the whites. There as been no provision made for university education of the blacks. hey are learning faster than the whites, displaying a greater desire to arn, and attend the public schools more regularly. I think the Demoratic party have violated the constitution by not establishing a uniersity for them. They have institutions there of that character, esablished by northern charity, like the Shaw University, and they are urning out preachers and other well educated colored men.

Q. They have them, then, but not at the expense of the State?—A. Yes, sir; they have them, as I stated, by public charity, but they have a deaf and dumb asylum, a normal school, and all that, from the State. I think I could say safely that in twenty-five or thirty years there will not be one person of color in all of North Carolina who can't read and write. They have shown a desire for knowledge that is remarkable. They are all of them going to school who can get there. They are not the best quality of schools that we have, but still they are attending them promptly.

Q. Is it or is it not your opinion that this exodus is caused by any political persecutions or denial of their privileges?—A. No, sir; I don't think so. I think it is the result of false hopes held out by the agents who have gone among them.

Q. Do you think it is a good or bad thing for the race?—A. I think it is a bad thing. Of course with this qualification. I don't know anything about Indiana. There may be people there who can use them, but my own judgment is that they can't compete with northern labor. They can live in central or eastern North Carolina on two days' labor in the week. A man like the one who preceded me can do that easily. They live on a peck of meal, and four and a half pounds of Cincinnati bacon, cooked with collards, which is a species of brassica (I believe that is the botannical name for it), which grows up and runs to what we call collards.

Q. You mean that we can raise cabbages there, but they run to collards?—A. Yes, sir.

Senator VANCE. That is an unorganized cabbage without a head?

By Senator WINDOM:

Q. You spoke about the outrages during the Kuklux days. What were they?—A. They were awful outrages according to all reports. I was employed by the governor of North Carolina, and entered into an investigation of those matters long before the people of our State believed that such things existed—such things as you saw in the kuklux reports which have been printed by Congress.

Q. Give us a specimen of one of them?—A. Well, sir, they hung Wyatt, outlaw, who was a man of sufficient influence to be elected mayor of Alamance. I don't think they intended to hang him, but to whip him for impudence; but I think they found them out, and Judge Bond made it pretty hot for them. They took Stephens, and garroted him in a room under the court-house.

Q. What was that done for?—A. Part of it was said to be done for political reasons, and a part of it for the regulation of society.

Q. What did they mean by them?—A. Why, when a negro got too big for his pants they dressed him down a little. I will give you an instance. There was one man from over in a corner of Alamance; they took him out and said he was not polite enough to the ladies he met on the streets; that he must take off his hat when he met them, and they gave him one hundred to enforce that subject on his mind, and asked

him if he would remember it, and he told them he never would forge it.

Q. What class of man was he?—A. He was a colored man, sort like this man here.

Q. Was he known to be a Republican?—A. Yes, sir; all of the were Republicans. I only know one instance of an outrage on a Dem ocrat, and this was a personal one. He had been maligning a woma there. They took a gourd-handle, about 1¼ inches in diameter, and p a hickory stick through it, and run it up his fundament, and they h to send for a doctor, a long ways off, to get it out with instruments t they use for delivering women of children.

Q. Do you know any others?—A. They took the Marron boys carried them away and shot them, and knocked one of the childre the head. It was alleged that that was done on account of barn-b ing that had been going on, and they took these men out and shot t as a sample of what they would do with the others.

Q. Was there any trial of the parties that were engaged in that? No, sir; there was no trial in any of those cases.

Q. Do you know of any other?—A. We had an emigrant from ana to our State, named Shoffner, who represented Alamance Coun the legislature. He introduced a bill that whenever the gove thought he couldn't maintain law and order anywhere in the Stat should declare it in a state of insurrection. It cost Governor He his office, and Shoffner was prevented from being massacred by dent.

Q. Who were going to massacre him?—A. The White Brotherh There were several associations of them. The White Brotherhoo Invisible Empire, and the Stonewall Guard. It was the last ones wished to run the Confederacy if they could. The heads of the two organizations were called chiefs. The clan in one county w decree the death of a man in another county, and send an order t other county for its execution. That is the way they were able to it so secret. They were sent word that they were ready. They done so in this case, and Shoffner was decreed to die. The messe went to the wrong chief, who was a friend of Shoffner's, and be down for them not to do it, as Shoffner's wife was about to be con and that it would kill her. Shoffner got word of it in time, and he off to Greensborough, in Indiana, and hasn't been back since.

Q. This was a Democratic organization, was it?—A. Yes, sir; I they were all Democrats.

Q. And these things occurred at the time the change took place a Republican to a Democratic government?—A. Yes, sir; I think had as much to do with it as anything else. I think it made the Democratic from Holden's attempt to suppress it. It grew out effort to enforce reconstruction. Men got hold of the secret orga tion and vented their spite on others.

Q. Those things occurred some six or seven years ago?—A. Yes and after the locofocos got control of the State, they absolutely sto I called those people locofocos because I don't believe much in the

Senator BLAIR. These organizations, if I understand you, were a the agencies they used in getting back to power?—A. Yes, sir.

By Senator WINDOM:

Q. Do you think the remembrance of those things still affect colored people?—A. I think not. I think it is the hope of better t elsewhere that makes them go away.

Q. What is the effect upon the colored people, and Republicans

erally, of this law affecting the election of legislators?—A. I voted against that amendment because of my opinions favoring universal suffrage, but I think it has done more good in bringing the people together than anything else, especially in the western counties. Left to themselves they are disposed to run an honest government, but in these counties they wasted the public funds, and through other people lost much money by their running away. I think it is right now, though I voted against it, but my conscience didn't satisfy me in doing so. It has enabled them to save their money—but it has done another thing—it has enabled them to pack their returning boards.

Q. How was that?—A. I see a distinguished member of Congress over there, a Democrat, from a district with 9,000 Republican majority; I think that law has something to do with that.

Q. How is it used in that way?—A. The magistrates appointed by the returning-boards—I don't know of any district where it has been abused except in Kitchin's district. It didn't operate wrong in my own or in yours, Senator (addressing Senator Vance).

By Senator VANCE:

Q. Wasn't that result in the second district attributable to the Republicans themselves?—A. It may be.

By Senator WINDOM:

Q. How about the discrimination in the courts as between the whites and blacks?—A. That is principally in matters of larceny. In such cases the presumption is reversed as to the negro. A white man can't be convicted without the fullest proof, and with the negroes, in matters between themselves, such as assault and battery, they get as fair a trial as the whites. At the January term of our court Judge Avery presided. A white man and a colored woman were indicted for an affray. The woman was in her husband's barn getting out corn; they were going to move, and the white man came down there and said, "You seem to have a good time laughing here this morning," and she said, "Yes, she had a right to laugh." He said, "You are getting that corn out, and you would have made more if you had stuck to your husband." She seemed to be a sort of termagant, and she said nobody said that about her unless you told them. He made some insulting remark, and she made something in return to him, and he took a billet of wood and struck her on the shoulder, and he pulled a pistol and beat her with it, and she went for him to kill him. They found the man not guilty, and they found her guilty, but Judge Avery set the verdict aside and ordered the case nol-prosed against her.

Q. Do you think that is a fair sample of the justice they get?—A. Yes, sir.

By Senator BLAIR:

Q Do you think they will convict a colored woman in order to get a chance to turn loose a white man?—A. Yes, sir. These people have been born in slavery, and the white people of course don't like any impudence from them. In the matter of larceny it is difficult to acquit them, but I have been a prosecuting officer for many years, and I have seen very few charged with larceny who were not guilty. We don't have to run round the country down there looking up larceny cases among them. It is harder to convict a moonshiner than it is to acquit a negro of larceny.

By Senator WINDOM:

Q. What are these people doing in the penitentiary down there?—A

They are working upon public improvements. They are not hired out as they are in other States unless they have a trade. I have not heard of any of them complain about their treatment.

Without concluding the testimony of Mr. Badger the committee, on motion, adjourned to Thursday, February 19, at 10 a. m.

EIGHTEENTH DAY.

WASHINGTON, *Thursday, February* 19, 1880.

The committee met pursuant to adjournment, and proceeded with the taking of testimony.

TESTIMONY OF R. C. BADGER RESUMED.

R. C. Badger recalled to the stand for cross-examination.

By Senator WINDOM:

Question. Mr. Badger, I wish you would explain to me a little more fully how this change is effected by the constitution in the election of county officers.—Answer. The constitution of 1868 provided for an entire change of government in the judicial and legislative departments, but general officers were not subject to legislative control. The counties were controlled by the people's vote under what is termed municipal government, consisting of five commissioners, elected once in two years; and the counties were directed to be divided into townships, and three magistrates were directed to be elected by the people in those townships by the popular vote, and in towns one for each ward. Township magistrates were the trustees of the finances of the county, and had in charge the roads and bridges and the assessment of property for taxes; and the county commissioners had the entire supervision for the whole county, and elected judges of elections. An amendment by the constitution in 1875 provided that the general assembly should have authority to take such appointment of such officers from the people and appoint them it-elf; and thereupon the general assembly did so.

Q. Whom did they appoint?—A. They appointed all the magistrates.

Q. And what did they do?—A. They would elect the board of commissioners. The magistrates are required to meet once in two years, and elect five of their number, who are practically the legislature of the county.

Q. What power did those election officers have?—A. If they act earnestly, they have only to count up the returns; but they have absorbed a great deal of authority.

Q. What power have they under the law?—A. They have the power to count up the returns, and throw out the balance for any technicality, exactly as Garcelon and Company did in Maine. They have no power, except they usurp it.

Q. What is the feeling in regard to that change among the Republicans generally?—A. There is a good deal of bad feeling about their counting out that colored man in the second district.

Q. That is the one from which most of these exodusters are traveling?—A. Yes, sir. It may be that the condition of my section of the State is so much better than the general condition of the State that my remarks may be more highly colored than the situation would admit. I think Raleigh and Charleston are the most prospering portions of the State.

By Senator BLAIR:

Q. You were speaking of the inclination of the colored race to learn. Do you think they are more inclined to acquire education than the white race?—A. I think so. I think that is the general understanding throughout North Carolina.

Q. How do you account for it?—A. It is impossible to account for it to my mind. They are a different race of people. You live in a country where there has been a state of freedom; but the result of slavery in the Southern States was this, that it made a race of landholders highly aristocratic, and degraded the poor whites; and the effect of that was to destroy their ambition. They lived on the ridge lands of the country, and they worked them, but they had hard times. They are useful in political times and get a vote. They had been in that condition for a hundred years up to the end of the war, and it is hard to get them out of the old ruts. I therefore think they are not as ready to learn as the colored people. But the whites, I mean the poorer class, are rapidly improving.

Q. You think the institution of slavery was injurious to the whole people, white and colored?—A. Yes, sir.

Q. Is there anything in that to account for the avidity of the colored people, now that they are free, to learn?—A. No, sir; as I stated I do not know how to fully account for that.

Q. Do you think it is an evidence of superior power or ambition in them?—A. No, sir. I think they are still very inferior to the white race.

Q. I did not ask that. I think this is the question I wished to put. Does it indicate to you that the colored race is possessed of powers for improvement which were not suspected, even by themselves.—A. O, yes. After the war a number of people from the North came down there to teach school, and these people flocked to them at once.

By Senator VANCE:

Q. Before the war the negroes were not taught at any time beyond the use of figures?—A. Yes, sir. While the young ones were growing up we taught all our folks to read and write.

Q. There is a tendency in the race naturally to improve their status?—A. Yes, sir.

Q. And their children since the war have exhibited the same tendency?—A. Yes, sir.

Q. It seems to be born in them?—A. Yes, sir. I know that old negroes of sixty or seventy years old wanted to go to school.

Q. And those children born since have manifested the same proclivity?—A. Yes, sir. One of the great difficulties in the way of the rising of the negro race is the want of classes or of ranks of society. Now they are beginning to have them, and it makes a marked effect on them.

Q. To what extent are the colored race as well as the white race provided with the means of education in North Carolina?—A. They are well provided. The great difficulty is the want of teachers. They are well supplied, though, with chances to get the ordinary rudiments of education.

Q. And enough of them to be useful to them?—A. Yes, sir; and their chances are increasing.

Q. Are these teachers white or colored?—A. The teachers of the colored schools are generally colored.

Q. Do they have some white teachers?—A. Very few.

Q. Are many of the teachers from the North, or are they generally native born?—A. They are generally from the North, and in the graded schools we had a number of northern teachers teaching; but the great majority of the teachers are natives. In the Shaw Institute they turned over from sixty to seventy teachers a year.

Q. Did they remain in the State usually?—A. Yes, sir.

Q. About what compensation did they get for teaching?—A. I don't know.

Q. There are some white teachers in colored schools, you said?—A. Yes, sir.

Q. Is there any prejudice still remaining there against white teachers of colored schools?—A. I think there is.

Q. Will you explain it?—A. I cannot explain it, except by the prejudices between the races.

Q. You mean, white persons teaching a colored school loses social status?—A. Yes, sir.

Q. Now, a white lady who comes from the North and teaches a colored school, to what extent is she taboaed?—A. I don't think she would have any acquaintances in white society.

Q. Would she be any quicker invited into white society than a colored woman?—A. Just about the same. We have been living, you know, with the races who were our slaves; the slaves that we could whip whenever we wanted to, though we did not do it as much as were represented. They could not read or write, except to figure a little, and were never allowed to work for themselves. In all respects they are regarded now as a hired class of people, and any association between them and the white class is almost impossible.

Q. And it is that way still?—A. Yes, sir.

Q. Do you think that prejudice against white people who are instruments in raising them to a higher development is lessening?—A. Yes, sir; I think so.

Q. Do you think ultimately it will disappear?—A. Yes, sir; one of the things which has operated most against such people was that they are attempting to brave the public opinion by such things as walking up and down the streets with the negroes. I think that has done more harm than anything else. We have old negroes called mammies, who raised up many of the white men, who came into the house over night and staid there. They are still treated with respect and even affection; but there is generally an entire disassociation between the two races.

Q. Mr. Badger, you seem to have studied this question philosophically. I would like to ask you what your opinion is as to these sociable distinctions, whether they are such as will last for all time, or whether by the lapse of time they will disappear?—A. I think it will be indefinitely prolonged. A great many of the prejudices may be broken down. Our leading politicians seem to work in that direction; among them our Senator from North Carolina, who was a member of this committee. He has attended numbers of their meetings and always seemed to apologize for being there. I saw him once at one of the emancipation meetings. They had a fair also at Raleigh, and our present governor made a bold, outspoken, straightforward speech, stating that he would see that they get all their rights; yet he is trying to be governor again, and on the emancipation day last he made the same sort of speech; being a politician, I was struck with the boldness of it, and I think it struck them as it did me. It was much the same as the speech made by the Senator from North Carolina.

Q. You were about the only white man present on that occasion?—A. Yes, sir; I was.

By Senator BLAIR:

. So it is understood that when Governor Vance and others spoke hem it was for political effect?—A. No, sir; I don't think so. I nk at that time he was trying to get elected to the Senate, and he nt and made a speech.

By Senator VANCE:

Q. You said that I made a sort of apology. The apology was to the nite people, wasn't it?—A. Yes, sir.

By Senator BLAIR:

Q. And he thought it was necessary to carry this negro vote?—. No, sir; I think it was made to preserve the Democratic ascendancy.
Q. You think there are a majority of Republican votes in the State?—. I am inclined to doubt that.
Q. You stated that the change was made in the constitution taking om the people the right to elect their magistrates?—A. Yes, sir; but at was a direct bargain and trade by which it was understood and greed, but not put down on the paper, that the eastern people would id in putting forward the West North Carolina Railroad, and in return) have from the legislature the selection of their magistrates.
Q. Why did the people want the change made?—A. On account of he corruption of their county authorities.
Q. So you think those people are unable to exercise the right of uffrage properly?—A. Yes, sir.

By Senator VANCE:

Q. Not all of them, Mr. Badger?—A. No, sir; I don't say that; and hen it is only the magistrates who are elected by the general assem- ly.

By Senator BLAIR:

Q. And other officers are merely executive, such as sheriff, county rustee, clerks, and others?—A. Yes, sir.
Q. They are elected by the people?—A. Yes, sir.
Q. And that is what gives to the illiterate the idea of voting for their fficers?—A. Yes, sir; but I think the system gives them better officers han the old ones.
Q. Then it comes to this: that it is better that these people should ot be governed by themselves?—A. I think experience has proven it. You take the counties of Halifax or Clayton, and their county treas- uries have been depleted and utterly wasted, and every species of robbery hat could be committed had been carried on until they are now in a tate of prostration financially. This is the result of the old form of overnment. In Edgecomb and Warren they could have gone forward nd controlled them, and if the white people had awakened to their uty, instead of turning them over to adventurers from the North. The hange in the government was required by the desertion of the respecta- le white Republicans from these people.
Q. You think the change is due to those corruptions?—A. Yes, sir; a great part. I kept our county right, with the exception of our eriff, who stole $90,000; but we couldn't help it.
Q. That was the effect of what? I mean this changed condition of airs and this general corruption in office—what caused it?—A. It ew out of the attempt to enforce reconstruction.
Q. That was the effect of the war?—A. Yes, sir.
Q. What did the war grow out of?—A. The war grew out of the fact at you had in the *Presidential chair* an old Locofaco.

Q. Who was that?—A. James Buchanan.

Q. The war came, and slavery was abolished; and that resulted in the demoralization of your society——

The WITNESS. I would like to answer that part of the question.

Senator BLAIR. I am asking the question.

The CHAIRMAN. I insist that he has a right to answer the question in all its parts.

Senator BLAIR. I protest against it until I finish my question.

The CHAIRMAN. I insist that he has a right to answer the question in such a way as to make his answer satisfactory and intelligible, and if you insist upon your protest, we clear this room and decide whether he has a right to answer or not.

Senator BLAIR. I was asking the question, and he began to answer before I finished. I made no remark to call for his interruption; and I expected to put a proper question. I think the chairman has no right to interrupt me in the manner in which he has done.

The CHAIRMAN. Your question culminated in this: that the war came and slavery abolished, and society in the South demoralized; and at this point the witness desired to answer that full question; and I think he has a right to answer it, and I think so still.

Senator BLAIR. I state that the witness had previously said, that the condition of things in the State grew out of enforced reconstruction, and even went back to the days of James Buchanan, as the cause of the war. I said that the war came, and slavery was abolished; and society was demoralized as the result.

The CHAIRMAN. Will you please state what your objection is?

Senator BLAIR. Let me state it. I wished him to understand my question, and after he answers it, he can make any explanation he pleases.

The CHAIRMAN. It is the right of the witness to answer the question in the way in which he desires to go on record. That was the reason why I interposed; not desiring to throw any obstacle in the way of investigation.

Senator BLAIR. I acquit the chairman of any such object. I claim no perfection as a practitioner in this investigation, but I say I have the right to ask the witness the question.

By Senator BLAIR:

Q. I say, Mr. Badger, this demoralization having come through the South, wasn't this reconstruction a necessity?—A. I think so.

Q. Now, will you allow me to say one thing? In that question there was an assumption that the demoralization came with the war and the abolishing of slavery, but the demoralization grew as much out of the fact that the Southern people were in a state of siege for four years. They were utterly demoralized before the abolishing of slavery and the results of the war had been accomplished. Now, I want to call your attention to the initial point of my inquiry; that is, where the blame for these evils rests. If the white people, at the close of the war, had chosen to exercise their rights, and sought, as you say they now do, to live in harmony with the colored people, would not these evils of enforced reconstruction have disappeared, or never appeared at all?—A. I think so.

Q. Then the fact is that the reason the carpet-bagger came and possessed the negro vote and controlled the destinies of North Carolina and other Southern States, was because the white people refused to exercise their rights and influence?—A. That is a very long question; please state it again.

Q. I say the fact is that the carpet-bagger gained his ascendancy in e South, through the negro vote, simply because the white people at st refused to exercise their rights and influence?—A. I think so. If ongress in 1866 had seen fit in its wisdom to seat the Senators and epresentatives elected under the Johnson reconstruction, there would ave been no difficulty. That is one of the reasons why I think the ational government had to take charge and enforce reconstruction.

Q. And has there been any time when the Southern white man has ot had the civil rights and right of suffrage which he now enjoys?—A. Only as restricted by the exceptions put into the proclamation of Andrew Johnson; that is, he excepted anybody who had been in the service of the Confederate States and those who had been worth over $20,000.

Q. That did not last long?—A. No, sir; he afterwards pardoned the most of them.

Q. Has there been any time since when they did not have all their rights?—A. No, sir; I think not.

Q. If the white people had from the first exercised their rights and accepted the situation, do you think any such things would have resulted as the Kuklux?—A. I think it grew out of a system of brigandage such as follows all wars like the one we had. I think one-half of it was brigandage. If you will look at it carefully, you will find it had no approval among the masses of our people. During the war all our able-bodied population went to war, but the negroes were left at home and remained faithful as the docile animal that he is. And when the war ended with us, but for Sherman issuing rations to the people we would have been the same as Ireland is now to-day.

Q. Who were these Kuklux organizations composed of?—A. Of Democrats.

Q. Were they confined to the Democratic party?—A. Yes, sir; I think they were, although it was alleged in the papers and stated by the late Governor Graham, in his speech on the impeachment of Governor Holden, that there was a negro Kuklux clan in the county of Graham.

Q. Do you have occasion as a lawyer to know the operations of the landlord and tenant act in North Carolina?—A. Yes, sir.

Q. What is the effect of it?—A. Well, sir, the effect of it is, in my opinion, to enable the colored and poor people of the State to cultivate land. We have a homestead exemption of $1,000 in land (which means about $2,000) and $500 of personal property. That exemption has taken away about all of the credit of the poorer class of people, and the landlord and tenant act was designed to give the landlord a hold on the tenant for his rent. It operates well, although it is sometimes abused.

Q. You speak of its being abused—how?—A. Our landlord and tenant act virtually vests the whole possession of the crop in the landlord, and if he is a bad man it makes him an autocrat and places extraordinary power in his hands. But that is an evil that grows out of the condition of things there.

By Senator VANCE:

Q. You think, generally speaking, it is beneficial in its operations?—A. Yes, sir; I do.

By Senator BLAIR:

Q. Where abused it makes it practically impossible for a tenant to accumulate anything?—A. Yes, sir; but let me explain. The crop in our country is different from any *crop you* raise in your country. The

Q. I have reference to heads of families.—A. I think there ar few of them who own land; a very limited number. I think i country from which these people are exodusting there are fewe lords than in my country. I think in my part of the country th improving in that regard. That improvidence for which colore have been proverbial is passing away.

By Senator WINDOM:

Q. You have stated that you thought when you had an educate of colored people many of these race distinctions would pass away Yes, sir.

Q. My own theory has been that the cause of these political d ances in the South, and class distinctions, was the fact that in nu of districts there are a majority of colored people.—A. I think a deal of it grows out of that fact.

Q. Do you not think if there could be a well ordered, voluntary bution of these colored people these sectional questions and diffe would be mitigated?—A. I think so.

Q. Do you not, therefore, think that if it could be directed pr and rightly, an exodus of them to other States would have a good on them?—A. It would have a good effect on the white people South, but it would be a horrible thing on the colored people.

Q. I mean for them to emigrate to some State where they can not to Indiana, where they do not seem to be well received?—A. have a country ready where you can take them and settle them it be a good thing.

Q. I do not mean to take them there, for I do not believe myse the government has a right to take them anywhere.—A. But I Mr. Senator, humanity requires that you leave them where th If the progress of good feeling among them is not disturbed the soon be thorough amity between the two races; there will not be freedom, but they will have amity between them.

Q. Do not you think the progress of which you speak is gre

them who might well be entitled to reception in high society. They e a fanatical people, it is true. They are people who went there to ke charge of the ignorant people and educate them, and they made e mistake by seeming to ignore the feelings of the white class of our ople. At that time, however, they would have been ignored, I think, they had not done so, but I know three particular in the normal school Raleigh who might well be received into the best society.

Q. Do you know a gentleman there named Sneed?—A. Yes, sir; he aches there.

Q. And he is received in the best society, is he not?—A. Yes, sir; e is.

Q. You made one remark which, I think, is calculated to do our peole injustice. You stated, I think, that no poor man had a chance to ise there?—A. I meant to say he had a very limited chance, but that loes not apply to your part of the country, Senator.

Q. You don't mean to say that there is anything there that prevents any man from rising who has talents and merits?—A. I said it was almost impossible for them to do so. They can't compete with the negro as laborers, and they have very little chance to rise from that capacity.

Q. You don't mean that if a poor boy could get an education he would not have a chance to rise?—A. No, sir; I know many of them who did get an education and rose in the world; but I mean as a class they can't rise; he will be kept as their fathers were, as the poorer class of our society.

Q. You said, yesterday, I believe, that the principal agent in putting the State under the control of the Democratic party was the Kuklux?—A. No, sir; I said it was one of the agencies, and I would like to say here that the operation of Governor Holden in trying to put down the Kuklux by the military, under the Shaffner act, caused a revolution of sentiment, and made the State Democratic, and the passage of the act of Congress called the civil rights act, with the hotel rights and all that in which, had a good deal with it.

Q. Didn't the spoliation of the State treasury in 1868 have something to do with it?—A. Yes, sir.

Q. You spoke of brigandage system there?—A. Yes, sir; but I didn't mean that these people went around and stole anything, but they went about cutting up, whipping and slashing any one against whom they had any spite. I adhered to that term of brigandage. I went for them whenever I had a chance, and denounced them as robbers and theives, and all that.

Q. I will ask you if a man who participated in those transactions didn't allege as the cause a great many outrages on the other side, such as barn burning and outrages on women by the negroes?—A. Yes, sir; I think so; there was such charges made on both sides.

By Senator BLAIR:

Q. You say the colored people are rapidly improving?—A. Yes, sir.

Q. Still you say the social distinctions between the races will always remain?—A. Yes, sir; I think so.

Q. I want to ask you what, in your opinion, is the prospect of peace between these two races, when each shall have attained a higher condition of development. Do you think there will be peace and amity between them?—A. Yes, sir; I think so.

Q. With this same social distinction remaining?—A. Yes, sir; and just here I would remark that the negroes are increasing much more in

proportion than the whites. There are no old maids among the colored people, and this result will be shown by the census 1880. It will show a very rapid advance in the population of the colored people. If you would put four hundred thousand colored people and six hundred thousand white people, and keep them for four generations, there would be more negroes at the end of the time than whites. They begin to bear at sixteen years of age, and generally have from eight to ten children. It is a mistake to think that they are dying more rapidly now than ever before. It you will take the next census you will see it for yourself.

By Senator VANCE:

Q. Aside from any question of races, Mr. Badger, is it not better for all parties that this distinction socially should be kept up between the races?—A. Yes, sir; I think it better for both races; both of them will be all the better off for it. As to the negroes' health, the only branch of the colored race that is not healthy is the quadroon. From the quadroon and up to the octoroon, they, I think, are a very unhealthy race of people, and a few people of our section in the country who have consumption are mulattoes. They will not mix with each other, but should not do so, because it kills out the race.

TESTIMONY OF J. B. MAYNARD.

J. B. MAYNARD sworn and examined as follows:

By the CHAIRMAN:

Question. Where do you reside, Mr. Maynard?—Answer. Indianapolis, Indiana, sir.

Q. What is your occupation?—A. Journalism.

Q. What paper are you employed editorially upon?—A. The Indianapolis Sentinel.

Q. State whether your attention has been called to the immigration of colored people from the South to our State.—A. It has.

Q. State whether you have interested yourself in the subject.—A. Somewhat, sir.

Q. State whether you have conversed with any of these folks.—A. I have, to some extent.

Q. How many, do you suppose?—A. Some six or eight.

Q. Men or women?—A. Men, sir.

Q. Where did you meet them?—A. I met them at different places.

Q. In and about Indianapolis?—A. Yes, sir.

Q. You may state to this committee briefly, but in your own way, their general condition out there, the promises which they say induced them to come there, and whether they found those promises to be true or false.—A. I think, sir, that with all with whom I talked on the proposition you state there was a very general agreement. They said they were induced to leave North Carolina and come to Indiana on account of representations that their condition in Indiana would be greatly improved; first, because they would receive much larger wages, and second, because they would have pleasant homes, as they could have lands cheap, with long time to pay for them; and therefore their situation would be greatly improved.

Q. How about the wages they were to get?—A. The general statement was that they were to ges from $2 to $3 per day.

ow about monthly wages?—A. I do not remember what the
wages were stated at. Perhaps, as to women in houses, they
be from $15 to $25 per month.
ow did they say they had found things to be in Indiana?—A.
id they had found every representation to be false, without ex-
They found neither a demand for labor. nor wages, nor homes,
, nor lands, nor anything else that was promised.
iat were their dispositions on the subject of returning home?—
one I saw was desirous of returning home, where he said their
was better than anything they had seen in Indiana. One
had been there five weeks, said he had only been able to
it dollars. A number have been there a long time and had
o do. Some of them said if things did not improve soon they
thrown on the county for charity and support. In fact, they
id the situation very bad out there.
re you informed yourself, Colonel Maynard, as to the condition
many of these folks who are in Indianapolis—whether they
employed and are self-sustaining, or are the objects of pub-
?—A. I think the work of relieving them by public charity
n before I left, and application had been made to the township
r assistance, and it had been granted—to what extent I know
to some extent I am positive.
m your observation of the newspaper press there up to this
e whether there is a standing appeal for charity for these folks
in the papers.—A. I think that is true, not only in our State
her States to which these people have emigrated. I speak of
h whom I conversed, and they were destitute of all means,
elping themselves by work, however willing to do work.
re is no opposition in our State to immigrants coming there
support themselves, or for whom labor can be had?—A. No,
nk not.
objection is to the coming of a pauper population?—A. I think
ne.
re you familiarized yourself sufficiently with the labor question
to say whether we have more labor than is in demand or not?
attention has been specially called to that question for the last
s, and I have often discussed it from various standpoints. I am
ith the press of the State, daily and weekly, and I have not no-
y of them any call for labor, either from the farming districts or
part of the country. My observation is to the effect that there
a surplus of labor in the State. There is a standing appeal
sands of good, industrious men for employment at any wages
me of these have come to my knowledge and attracted my at-
among them being mechanics who formerly earned from two
three dollars per day, and who to-day are willing to engage
or at almost any price, and cannot get employment at all.
e if, in your writings as a journalist, you have sought to reflect
timent in Indiana upon the subject of this exodus?—A. I

you know of any Republican paper that has pointed out the
is exodus, and the suffering the people undergo who engage
. Not one, sir.
y rather smile and wink at it?—A. It looks so.

Senator WINDOM:

at are the politics of the Ledger?—A. It does not occur to me
olitics are.

Q. Do you know anything of tickets having been bought recently to bring Irish immigrants to Indiana?—A. No, sir.

Q. You have never been a farmer yourself?—A. Yes, sir; I have been.

Q. When, if you please?—A. When I was a young man, sir.

Q. How long is it since you were on a farm in Indiana?—A. I never worked on one in Indiana.

Q. Were you ever on a farm in Indiana?—A. I never worked on one there.

Q. Have you consulted with any of the farmers about the demand for farm laborers?—A. Yes, sir.

A. How many have you consulted?—A. Up to what time do you refer me, if you please?

Q. Within the last three months?—A. I think probably a dozen, and I have met gentlemen from different parts of the State, and my attention has been called to the subject by conversing with them. I am satisfied these people are not in demand out there. The supply of native labor is even far in excess of the demand in the best seasons.

TESTIMONY OF W. C. CHASE.

W. C. CHASE, colored, sworn and examined as follows:

By the CHAIRMAN:

Question. Where do you reside?—Answer. 1109 I street, northwest.

Q. Where are you from?—A. I was born here.

Q. Have you lived here all your life?—A. I lived here all the time.

Q. What did you ever have to do with the Emigration Aid Society, and what propositions did they ever make to you?—A. In the first society that was organized I was the corresponding secretary, and was also the correspondent of the Boston Observer. Mr. Carshon was afterwards made secretary, and Mr. Wall was made chairman; but as he could not control the society he withdrew and organized another. The presumption of the people of the District was, that he organized it to speculate with, and they didn't join readily. Several months ago I met Mr. Wall on Seventh street, and he said he had some emigrants coming from North Carolina with Perry, and he wanted me to take the agency of the society. He said he would pay me, and I went to his office but didn't find him. I went to the office and saw Adams, and he said he didn't know where Wall was. I didn't see him any more until a meeting was called to denounce this whole scheme. Wall is so well known, that we knew his only object was to speculate on the ignorant people of the South. A resolution was introduced in the Senate by Senator Dorsey, and I sent this correspondence to the Boston Observer about it. The following is the correspondence (reading):

"Senator Dorsey presented a memorial signed by three hundred colored citizens of the District of Columbia West Emigration Society, asking for seventy-five thousand dollars as a loan, to enable them to emigrate to the unoccupied lands in the West."

Q. Is that all?—A. Yes, sir. I met Mr. Wall on Seventh street, and he asked me to take a place for a dollar a day; but I didn't do it, because the people in the District have no confidence in him.

Q. In what way were you to make a dollar a day?—A. By assisting him in this scheme.

Q. In what way?—A. I presume he wanted me to go to North Carolina, like Perry and Williams.

f the colored people.

y Senator WINDOM:

ou say that you know Mr. Wall was designing to speculate off rance of the colored people?—A. Yes, sir.

ow did you know it?—A. I have known him for five or six years, now he never enters into anything except he makes something .

u say he is a man in bad standing with the people?—A. Yes,

u say he had Perry and Williams engaged?—A. Yes, sir.

ow do you know that?—A. He said he expected them to come rth Carolina with some emigrants and he said he had two or en engaged there.

ve his language as near as you can.—A. He said, "Mr. Chase, my rey tells me that you will assist in anything I ask, and said you end of his." I said, "Yes"; and he said, "I have got some men from North Carolina, and with them is a man named Perry, whom I gaged," and said to me, "I would make you president of the West- grant Aid Society, but you are a single man." He said, "Come to e and I will show you my plan." I went to see him as I stated. I saw y, who said that the reason he resigned from the association was assertion was made in a meeting that they were to send so many to Indiana and so many to other States in order to vote them, that reason he resigned.

ou think that Wall is a very dishonest man?—A. Yes, sir.

aven't you been convicted of larceny at any time?—A. Yes, sir, ustly; so I will state the circumstances, that you may see. I I street, and my mother rents a store to a man named Nichols e store, and a man came along and got his shoes mended. I wn, and he said, "Don't you stay there, and were you not present is man promised to pay me one dollar and a quarter, and I said and I said to him to take the shoes back; he took them and I went

the exodus of the colored people to Indiana and other States would be a good thing. I think they do better in North Carolina than in Indiana.

Q. You think emigration to the proper places would be beneficial?—A. Yes, sir.

Q. Why did you enter the society?—A. Because our idea was to send them from this city to Kansas and the West; because they are paupers here and have no vote here; and in the South they have to take care of themselves. It is the carpet-bag element among the negroes that makes this state of affairs in the District of Columbia, and requires the assistance of the government. They are the people that we have to do with.

Q. You said that Captain Wall originated the scheme for speculation?—A. Yes, sir. So I say, and I stick to it, and I take in the ex-Governor Gleaves, who is in the Treasury, and I think he is the man who helped him.

Q. Are you engaged in any emigrant's society now?—A. I am out of it.

By Senator VANCE:

Q. Don't the colored people vote in this city?—A. No, sir.

Q. Why not?—A. They took the right away from them.

Q. Who took it away?—A. The government.

Q. Under whose administration?—A. Under a Republican form of government.

Q. How long has it been since that was done?—A. It was during President Grant's administration.

Q. I can hardly think that is so.—A. I know it was during a Republican administration, and I think it was President Grant's.

Q. What are your politics?—A. I am a Republican, sir.

By Senator WINDOM:

Q. Do white men vote in this District?—A. No, sir.

Q. Is there any discrimination made against colored men in that respect?—A. No, sir.

On motion, the committee adjourned to 10 o'clock a. m., Monday, February the 23d, 1880.

NINETEENTH DAY.

WASHINGTON, *Monday, February* 23, 1870.

The committee met pursuant to adjournment and proceeded with the taking of testimony.

TESTIMONY OF G. W. KRUZAN.

G. W. KRUZAN sworn and examined as follows:

By the CHAIRMAN:

Question. State where you live?—Answer. In Vigo County, Indiana.

Q. How far from Terre Haute?—A. Five miles from Terre Haute.

Q. What is your business?—A. I am engaged in farming.

Q. How long have you lived there?—A. All my lifetime; I was born and raised there.

e you followed farming all your life?—A. Yes, sir.
your attention been called to the introduction of colored peo-
ur county recently?—A. Somewhat, sir. We have some in
orhood.
may state whether, in your opinion, there is any demand for
his kind in your county.—A. I think not, sir. We have al-
able to get all the labor we wanted, and at very reasonable

ere much hiring done now by the farmers in that section?—
; not through the winter months; then there is scarcely any-
. I hire always during the season until the crop is gathered,
after then.
e is more hiring done through the season than in the winter?
e is scarcely any done through the winter time.
say some of these negroes have been brought into your neigh-
—A. Yes, sir; there is one family in a mile of my place and
d men are hired near there.
that family been employed since its coming?—A. I do not
they work part of the time, I think.
se place are they on?—A. McFeeters's place. One of these
gets eight dollars per month when he works, but I do not
orks all the time. He says it is too cold out there for these
nen. The man for whom he works says he does not know
t working; that he does not understand our way of working
inery and never saw it before.
most of your farming, the putting in and all that, is done by
?—A. Yes, sir; and the tending, too. We use double culti-
d they never saw any of them before.
e to the committee whether there has been a great many peo-
me years past seeking employment in our county, and who
get it?—A. There have been a good many who came through
he winter months. I know some who are working for their
hey are men who live there—white men.
t do the farmers generally pay for farm labor during the crop
A. From $13 to $18, according to the hand, and board.
much by the day, with board?—A. The farmers hardly ever
that way, unless they get behind with their work. Some-
they pay seventy-five cents and a dollar a day. In harvest
pay as high as a dollar and a half. That is what was paid
with board.
n your long experience there do you think it desirable for col-
rants, or anybody else dependent alone upon daily labor, to
settle there?—A. I think it is not, sir.
re is quite a population of old settlers there in that county;
olored people?—A. Yes, sir; There are a good many such.
Terre Haute there is a place three miles square, all of them
ttlers. It is called Lost Creek, and also Otter Creek. I was
tter Creek township.
you know how the old colored settlers regard these new-com-
They do not like it, I understood.
e you seen any of these emigrants arriving there?—A. I have
n to the church in Terre Haute where they quartered them.
ou are of the opinion that even in cropping time these peo-
ot be in demand, because they do not understand our system
g?—A. Yes, sir; it is my opinion that they will not suit us,
I learn from the men who hire them.

Q. Did you ever see the circular put forth by Walker to the exodus?—A. No, sir; I do not remember ever to have seen it.

Q. Stating that he had a demand for eighteen hundred families?—A. No, sir; I do not recollect it.

By Senator BLAIR:

Q. How many of these colored men from North Carolina have you seen?—A. I do not know how many. I have seen several, but how many I could not state.

Q. You know of only three who are located in your vicinity?—A. There are one family and two men. One of the men is hired out, and he was to get eight dollars a month when he worked.

Q. They are all simply getting along as best they can until the crop season opens?—A. Yes, sir.

Q. Have you talked much with them?—A. Only with those three, in particular, and that very little.

Q. Your intercourse with them has been very limited?—A. Yes, sir.

Q. You spoke of a colored settlement; how near is it to you?—A. Nine miles, about.

Q. But you have lived near to it?—A. I was born near there. I lived about three-quarters of a mile from it. I do not think a white person has lived in the settlement. They are all colored, and some of them are very fine gentlemen.

Q. How many are there in this settlement of colored people?—A. I do not know how many.

Q. Several hundred, would you suppose, for an estimate?—A. Yes, sir, several hundred; but I do not know exactly the number.

Q. Perhaps you could fix it somewhere between four, five, and six hundred?—A. I would think there were three hundred in the population in that settlement.

The CHAIRMAN. You might estimate it by the votes. We have in our county about four hundred colored votes. Four hundred votes would represent about two thousand colored people, and the majority of them live in town. I should say out in Lost Creek Township about five hundred would be enough to establish the population.

By Senator BLAIR:

Q. You think there are five hundred out there?—A. Yes, sir; between five and six hundred.

Q. About how many acres or square miles are they scattered over?—A. They have three square miles, or rather three miles square.

Q. Then that would be nine square miles?—A. Yes, sir.

Q. Are they all farmers?—A. Yes, sir; mostly all farmers.

Q. What is the name of the township?—A. Lost Creek and Otter Township.

Q. It is not an incorporated township, is it?—A. Yes, sir.

Q. What is the general condition of that colony of colored people?—A. It is a pretty well colony.

Q. How long have they lived there?—A. Since I can recollect.

Q. Have more or less been there since the settlement of the State?—A. I don't recollect.

Q. Have they always been pretty well off?—A. They were not so much so at the start, but they have been buying out the whites until they own the whole of it.

Q. They have been gradually excluding them?—A. Yes, sir.

Q. Has the colony been increasing in wealth and population?—

Q. Has it doubled itself?—A. Yes, sir; and more than that in wealth.
Q. Has it more than doubled in population?—A. Since I can recollect; yes, sir.
Q. They have stores and other things out there?—A. No, sir; they go to Terre Haute to trade.
Q. How far is that?—A. Five miles.
Q. Do they carry their produce there?—A. Yes, sir.
Q. Have they schools out there?—A. Yes, sir.
Q. What is the condition of their schools?—A. I think they have good schools.
Q. Do you know how much of the year they have them?—A. No, sir.
Q. About the same as the rest of the county?—A. Yes, sir; I think so; about the same.
Q. What is the length of the school period generally?—A. Some of the townships have more schools than the others; they run from five to nine months.
Q. The average would be seven months?—A. Yes, sir.
Q. Have they any religious privileges such as churches and pastors?—A. Yes, sir; they have their own churches.
Q. What denominations are they?—A. They are Baptist and Methodist, principally.
Q. Do they have separate houses of worship?—A. Yes, sir.
Q. Have you seen them?—A. Yes, sir.
Q. How do they compare with the white churches?—A. They are not so good, but still they are good churches.
Q. How as to the wealth among them; do many own their own farms?—A. Yes, sir.
Q. That is, the head of the family?—A. Yes, sir.
Q. How do they compare as farmers with the white people?—A. Some of them are as good as the white people's.
Q. About how wealthy is the wealthiest colored man in that community?—A. I can't tell; some of them I should think are worth twenty-five or thirty thousand dollars.
Q. Take one who is best off, or as well off as any of them; what is the name of that man?—A. I should suppose it was Dickson Stuart.
Q. Tell us about him.—A. I am not so well acquainted with him, and I think probably he is dead now.
Q. How old was he?—A. He was about sixty years old.
Q. He was a farmer also?—A. Yes, sir; he had a very large farm, I think.
Q. About how many acres?—A. I couldn't tell that because I don't know.
Q. Was it a valuable farm?—A. Yes, sir; it was worth a good deal of money; I disremember what it was worth, but he paid about as large taxes as anybody in the township.
Q. White or colored?—A. Yes, sir; but I disremember how much it was.
Q. You know anything about his stock?—A. No, sir.
Q. What were the products of his farm?—A. Mostly wheat, corn, and hay.
Q. Did you find a market for it in the Western States?—A. We have as good a market, right there, as anywhere.
Q. What do you get for corn?—A. We got forty cents last year.
Q. Is that the average price?—A. It is sometimes more and sometimes less.

Q. Do you sell your wheat there?—A. Yes, sir.

Q. How much do you get for wheat?—A. This year we averaged ninety cents.

Q. How much help would he require on his farm?—A. I don't know, sir; I can only tell you as to the wealth among the negroes. It has been two years since I moved away, but I live in about nine miles off there now.

Q. Is this colored community about as well off as the white communities?—A. Some of them are well off and some are not. They are about the same as the white, generally.

Q. Taking that community and making them white folks, with no race distinction, wouldn't you say they are about as well off as any of the white communities?—A. Yes, sir. But they are opposed to these negroes coming there now.

Q. I ask you on the whole, disregarding the fact that they are colored people, are not they about as well off as any white communities in the State equally situated?—A. Yes, sir.

Q. And you say, as a class, they are opposed to the exodus?—A. I heard so.

Q. You don't know where those people came from originally?—A. No, sir; I don't.

Q. No doubt that they drifted in from the South?—A. I don't know, sir.

Q. Do you know that they are the same race as the blacks of the South?—A. There is no doubt that they are the same race.

Q. Do you not think that if these negroes were coming there now, were subjected to the same influence for two or three generations as this community of which you speak, they would come out in the same way?—A. Yes, sir; it would take two or three generations to do it, though.

Q. You and I understand that the transmission must be gradually; but to what do you attribute the difference between these negroes who are there and those who are coming from North Carolina?—A. The difference is in their raising.

Q. Under the different institutions of the two States?—A. Yes, sir; it is the difference in the way in which they have been brought up.

Q. You think the climate is better in the South than in Indiana?—A. So they say. I have never been there in the South.

Q. And that is what everybody says?—A. Yes, sir.

Q. So against the disadvantages of the climate these people in that colony up there have done better than those who remained in the South?—A. Yes, sir; in the South they have been in slavery, and never had the advantages of these colored people up there.

Q. The fact is that way then?—A. Yes, sir; they had these advantages and have improved under it.

TESTIMONY OF S. W. RIGNEY.

S. W. RIGNEY, sworn and examined as follows:

By the CHAIRMAN:

Question. Where do you reside?—Answer. I live five miles and half south of Terre Haute, in Vigo County, Indiana.

Q. How long have you lived there?—A. Between two and th...

Q. And before that?—A. Then I lived in Orange County, Southern Indiana. I was born and raised there.

Q. What is your occupation?—A. I try to farm.

Q. How long have you been a farmer?—A. All my life. I was born and raised on a farm, and have been following it all my life.

Q. Do you hire farm laborers to assist you?—A. I hire men all the time in the crop season. I don't hire in the winter time, after I get my grain in.

Q. Is there any demand there for laborers on farms during the winter time?—A. I never saw any scarcity of labor there since I have been there.

Q. I ask you was any demand in the winter time for hired help?—A. Very little, sir; I had several applications this winter to take men and board them to do the chores around the farm.

Q. Were they from people who lived there?—A. Yes, sir; from people who lived there and from different parts of the county and State. They were coming around and looking for places to stop until spring-time, so that they could get labor.

Q. Do you know of any reason for bringing these colored people out there at this time?—A. No, sir. I don't know of any demand for their labor.

Q. You had applications to take some of them?—A. I have had applications from white men. Two or three days before I left, a young man came to me and said he would stop with me until crop-time for his board. He was a nice young man from Monroe County, Indiana.

Q. Is there much of a demand even in crop-time for hands?—A. I don't know that there is. I never had any difficulty in getting hands.

Q. How are these colored men from North Carolina adapted to our system of farm work?—A. I can't tell you because I don't know. I have not seen those who have got them; but I should not think they would satisfy us.

Q. A great deal of the farming out there is done by machinery?—A. Yes, sir; a great deal of it.

Q. Have you talked to any of these people?—A. No, sir; I have not.

Q. You have not talked to any of them in Terre Haute?—A. No, sir. I live five miles and a half from there. I go to town every Saturday evening to do my trading; then I go home and have no more to do with the town after that.

Q. Have you talked to your neighbors about it?—A. Yes, sir. I have talked with a great many of them.

Q. The views you have given us are yours and those of everybody else in that county?—A. They are of every man I have talked to.

Q. Have you heard of any demand among the farming communities for this class of labor?—A. I have not.

Q. Where these emigrants have got an employment is it not done more through charity than from any need for them?—A. I don't know, sir; I can't say that.

Q. Mr. Krusance says that Mr. McFeeters has a family on his place.—A. That is Alex. McFeeter's son; but I have not seen him to talk to him.

Q. There is no difficulty out there in getting help without applying to these people?—A. No, sir.

Q. So it would seem like this, they got employment as charity instead as necessity for their living?—A. Yes, sir. So far as I know, the men who took these emigrants are men who hardly ever pay their hands, or pay them in something that is not worth much.

Q. Did you ever see a circular published by Walker?—A. No, sir; I think not.

Q. In one place in this circular he says he has a demand for eighteen hundred families. "Come one, come all; for the harvest is great and the laborers few."—A. I don't think I ever saw it.

Q. If he has a demand for them you know nothing of it?—A. No, sir; I don't. Speaking of a demand for help, there is an exception. Our female help is scarcer than our male help. It may be that a few girls could get employment, but our male help is sufficient.

Q. The want of female help in the country grows out of the fact that women who work prefer to work in town, does it not?—A. Yes, sir; I think that is my experience.

By Senator BLAIR:

Q. Where were you born?—A. In Orange County, Indiana.

Q. You are a Democrat?—A. Yes, sir.

Q. Is Mr. Krusan a Democrat, also?—A. Yes, sir.

TESTIMONY OF P. K. McCROSKEY.

P. K. McCROSKEY sworn and examined as follows:

By the CHAIRMAN:

Question. Where do you reside?—Answer. I reside in Terre Haute.

Q. How long have you lived there?—A. I was born there, and never lived anywhere else.

Q. What is your occupation?—A. I am a carpenter and builder.

Q. Now, I will ask you what are your politics?—A. I have been a pretty red hot Republican since Lincoln's first nomination.

Q. And you are still?—A. Yes, sir.

Q. You are a carpenter and builder?—A. Yes, sir.

Q. And you employ a good many men?—A. Some years I do; that depends upon the work that I have.

Q. What have you to say about the demand, and especially of laborers in Indiana?—A. We have an overplus of laborers, and have had ever since I lived there, in all classes and branches of trade.

Q. You mean among mechanics also?—A. Yes, sir; mechanics and common laborers.

Q. Are you familiar with the farming communities about there?—A. Somewhat.

Q. Do you make your remark apply the same to them as to your trade and business?—A. Yes, sir.

Q. You think there is an overplus of farm laborers also?—A. I know there is.

Q. Has it not been especially so in your section since 1873?—A. Yes, sir.

Q. Isn't true but that for the interpose of public and private charity by the town trustee and others that there are a good many people there who would suffer from want, because they are out of employment, and who are willing to work?—A. Yes, sir.

Q. Does not it look to you like a wrong thing for people to encourage these people to come there?—A. Yes, sir; I think it is.

Q. I will ask you if, in saying that do you not reflect the sentiments of the class of people to whom you belong; that is, the mechanic and

laboring classes?—A. Yes, sir. I have talked to many of them; some of them do not express it publicly, but they do privately.

Q. Did you ever talk to this man Walker on this subject?—A. Yes, sir; I did last fall.

Q. You have read his circular and interview?—A. Yes, sir.

Q. In it he says he has letters from various parts of the State asking for farm hands and house servants; that he has a demand for eighteen hundred families, and to come one, come all, for the laborers are few and the harvest is great. Do you know of any demand of which he speaks of in Vigo County?—A. I don't know of any, sir.

Q. If he has such a demand, it is beyond anything that you know of the situation yourself?—A. Yes, sir; and I know that he has tried to get places for those of them that he has got there; but when they are hired they are kept two or three days and discharged, because they can't do our kind of work.

Q. What is their condition there now?—A. I have never talked about them in the street, but they look like being in great distress.

Q. Are there many of them employed?—A. A good many there are not employed. He made their headquarters at the Baptist Church.

Q. Have you no faith whatever in this statement of Walker?—A. Not a particle. I don't believe it is true.

Q. In talking to you, what language did he hold to you about it?—A. A day or two after he came back from that convention down South he saw me and ran over to meet me on the street. He seemed to be in a very good way, and I think he had liquor in him. I asked him what was the matter, and he said he had made a good thing out of his trip. He said he had made arrangements to turn the negro emigrants into Indiana, so as to get ten thousand in there, and carry the State. He said he thought he could get to elect them in the State; that a good many of the farmers would take them and help the best they could; but I knew that we didn't want any of them in our county.

Q. Did he seem to be very much pleased with his project?—A. Yes, sir.

Q. Now, what seems to be the sentiment of the old colored citizens of the county on this subject?—A. They are opposed to it.

Q. Your recollection, Mr. McCroskey, goes back a long ways in your county; and, speaking from your knowledge, tell us what is your understanding as to the origin of that colored settlement in our county?—A. There was some of them there before I was born, and some have come there since; some came there and entered their own land and others came afterwards when the land was cheap and bought and had their friends to come afterwards. The old ones are generally good people; but they have a class of young ones there, who are a pretty hard set, and there have been some murderers among them. The most of them, though, came there a long time ago.

The CHAIRMAN. Let me state the information I have. It is that our county was settled in 1811 and 1812 when Fort Harrison was a military post; that the county was settled by people who came there from Maryland, Virginia, and Kentucky, and they brought many of these colored people with them, who were slaves, and who became free when they got there, and when the white people settled there the colored people naturally settled with them and made this a colored settlement.

The WITNESS. Yes, sir; I think that many of them came from Kentucky, perhaps the most of them, and some from Virginia and Maryland. I have talked with them, and they say so, and I find that most of those settlers were from the Southern States.

By the CHAIRMAN:

Q. These colored people have been in the main good respectable people?—A. Yes, sir.

Q. And have acquired property?—A. Yes, sir.

Q. Especially in the country?—A. Yes, sir; more so in the country than in the city.

Q. I don't know that I asked you if you ever talked with these older settlers on this subject?—A. Not with the oldest. I talked with some of the old men, but they have not lived there as long as some of the others. Some of them say that it is not right for these people to come there, and others are silent in the matter.

Q. This man who carries the mail in Terre Haute was appointed upon the recommendation of Postmaster Philbeck?—A. He was first appointed by Morton and then reappointed through the indorsement of Mr. Philbeck.

Q. I need not ask you, I suppose, whether Mr. Philbeck is cognizant of his course?—A. I don't know, sir.

By Senator BLAIR:

Q. Did Walker say to you he had made his arrangements to get these people there?—A. He didn't say. He said he was going to get enough to carry the State against the Democrats.

Q. What sort of a man is Walker?—A. He is a big, important sort of a nigger, who thinks he knows it all.

Q. And you say he was in liquor that day?—A. I think he had some liquor on board, though he may not.

Q. Have you repeated all that he said?—A. He said more, but I can't remember it. I just made up my mind from what he said that he was trying to shoulder the responsibility of the whole thing.

Q. You had no more talks with him about it?—A. Never since then.

Q. How many of these people has he brought in there?—A. He must have brought two or three hundred into Terre Haute. I don't know exactly how many, but there were two or three lots.

Q. Were they men, women, and children together?—A. Yes, sir. I think a lot came there before I came away, but I don't know how many.

Q. What has become of them?—A. I seen some of them about the streets, and I see it stated that they were carried in the basement of the colored church and fed there.

Q. Havn't the most of them been distributed about through the country?—A. A good many of them have.

Q. You speak of this colored settlement there, in your country. Now, if these same colored people, instead of stopping in Indiana where there seems to be no surplus work, they find their way to other parts of the country where land is cheap and where they could grow up as this colony has done, do you see any reason why they should not succeed the same as these Indiana negroes have done?—A. Yes, sir; I see the reason why the older negroes should not, and its cause is that they don't understand our system of labor. The younger ones might do so, but still they would have to go where land is cheap and just as good as that in Indiana.

Q. Still this colony might do so elsewhere and grow up and become prosperous and happy?—A. Yes, sir.

Q. The people of Indiana don't object to that being done. Do they?—A. No, sir; we have more than we want of this class of people and would rather they would not stop with us.

And that is the general sentiment of your people without regard
ty?—A. Yes, sir; I don't know anything about the party feeling.
If it is the general sentiment, it is irrespective of party?—A. I
think any man there, who would speak his sentiments, is in favor
ir coming. Perhaps a man might go in a place where he would
ant to say so; but I don't think there is any demand for them

I understand you to say there is no demand for any kind of laborer,
or black?—A. We have all we need.
Do you think there is any prejudice against them on account of
olor?—A. No, sir.
Do you think if they were needed at all, the people would hire
as they do the whites?—A. Yes, sir; if they do the same work,
ey would not discharge a white man in order to hire a negro, or
negro in preference, but if they needed their work they would
iem.

TESTIMONY OF WILLIAM M. STEVENSON.

LLIAM M. STEVENSON sworn and examined.

By the CHAIRMAN:

estion. Where do you reside?—Answer. Terre Haute, Vigo County,
na.
How long have you lived there?—A. I have lived there since
sir.
Where did you reside before that?—A. I resided in an adjoining
y for several years. I came to Indiana from Kentucky in 1853.
You are by profession a physician?—A. Yes, sir; that is my pro-
n.
You are employed, I believe, by the county of Vigo to attend to
oor of the county?—A. Well, sir, I have charge of the penitentiary
rre Haute, and also of a kind of infirmary. I have had that for
years—the medical and surgical department of it.
Your profession throws you a great deal among the poor people?—
great deal, sir.
Tell us what you think of this immigration of North Carolina
es into Indiana, from what you have seen of the condition of
there and the demand for labor.—A. The supply of unskilled
in our city and county has been largely in excess of the demand,
here is a great deal of destitution in the city among men of fam-
and among those who become county charges and apply for relief.
are men of unskilled labor who have lived for a long time in the
, and they have become county charges simply because they can-
et employment. Some of them say they can get a day's work or
ays' work, but the result is that when they get sick they become
charges, and I have to have assistance both medical and other-
hrough the charity of the county to aid them and attend to them.
is a large proportion of the colored population of the city of Terre
who might be classed among the pauper element of the city.
are people who have been there ever since I knew the town.
are a few well-to-do colored people in this population, and some
lone very well there. As to the demand for labor, there are peo-
my acquaintance in the county—and I am pretty well acquainted

throughout the county—who say that there is an excess of farm labor in the county. The farmers generally out there do not carry large farms, and can usually do their own work, except in the cropping season, when they are putting in their grain and when they are harvesting. There is generally very little hiring among the farmers. I know a few instances of old residents of the county working for their board, in expectation of getting employment in the spring, when the season opens. Our town is very full of destitute women, widows and others, whose subsistence comes from daily labor, such as washing and things of that kind. Many of them are in the county poor-house as the recipients of public charity. I think there are some ten or fifteen children at the county poor-house who are bright, healthy-looking children, and who are waiting for homes; and applications and notices of the fact have been made to the people, but they are a little slow about taking them.

Q. Is there any possible necessity in the nature of things for this immigration that has struck our county?—A. There is no demand for them from the labor standpoint. They are not needed and are very much objected to on account of their impoverished circumstances, and they are objected to particularly by the tax-payers. The only demand I know for them is that they are voters.

Q. Have you talked with any of those that have arrived there?—A. I visited them once down at the church, but did not have many interviews with them; I went to look in on them at the church, and I found a very destitute batch there. They were lying there, perfectly helpless; did not know where to go or what to do, or where they were expected to go; and a committee, consisting of Walker and Bagby, were making efforts to get employment for them. They rented a number of little shanties about the city to put them in. I visited one of them, which was not as big as this room, and there were fifteen persons in there—children of all ages, from fifteen years old down to the prospect of children. They were in an abject state of destitution.

Q. How were they off for clothing?—A. They were very ragged and wretched, and the women were very poorly clad.

Q. How was that batch fed there in the church?—A. I know they were fed by contributions from that committee. They have a reception committee, of which Walker is president and Elbert vice-president. I am acquainted with Elbert, but with Walker I am not. These people have been fed by charitable contributions from their own class of citizens and by the contributions of a few sympathizing Republican friends of the cause.

Labor is hard to get, although they have made applications to everybody likely to need them. One of my Democratic friends wanted some, but he did not want any minors among them. A gentleman from near the State line, a good farmer, Mr. Elliott, wanted several persons on his farm, women and children, and when they found that he was over the line and out of the State, they would not go to him, although he is a Republican.

Q. What was their reason for not going beyond the State line?—A. They said that was not the condition of their contract when they left North Carolina. They understood that they were to stay in Indiana, and they did not propose to leave there.

Q. How is this immigration regarded by the settled colored people of our county?—A. The colored population is opposed to their immigration. Stewart, Malone, Harris, Underwood, and other well-to-do colored people oppose it, because they are tax-payers, and they consider these

ople an additional tax on the county; and on that account they have posed it vigorously.

Q. Have you heard Walker's statement read here, in which he stated at he had a demand for eighteen hundred families of them?—A. Yes, ; I have read it, and I have heard what Walker said about it.

Q. I will ask you the probability of its being true?—A. It is not true any particular. There is no demand whatever for laborers there. ere is no demand for skilled labor, and certainly no demand for unilled labor. There is a large excess in the supply over the demand; d if Mr. Walker would give his attention to it and to nothing else, he uld not find situations for eighteen hundred families in Vigo and Clay unties both put together. I know that the pauper people there, such servant girls and people who do laundry work, have great difficulty getting work to do.

Q. How many Republican newspapers are printed in Terre Haute?—. There are three, I believe—The Express, The Courier, and The Mail.

Q. Have you not seen any of them condemning this outrageous conuct of Walker?—A. I never have. I have seen an appeal in The Exress calling for contributions to aid these people; asking for old clothes nd food for those who were in the church.

Q. Did you see published, along with Walker's proclamation, this apeal for aid that was issued by a meeting of colored people?—A. Yes, ir; that is the appeal that I was referring to.

Q. It struck you rather strangely, did it not, that such an appeal should have to be made if there was a demand for eighteen hundred families n Vigo County?—A. Yes, sir; I thought if the demand was so great nd the laborers so few, there certainly would not be any necessity for uch an appeal. There was one of these darkies who was so much disouraged and disgusted that he went back home. He relieved his stepather of forty-six dollars, and with it went back to North Carolina.

Q. How did he relieve him of it?—A. He relieved him of it by stealng it. His step-father was left in the lurch, and is now on the county.

By Mr. BLAIR:

Q. Do you know of any other person except this thief that has gone back?—A. No, sir.

Q. Then, he seemed to find North Carolina better for him than Indiana?—A. Yes, sir; but there were three others who said that they would go back if they could get the money.

Q. And they did not have any step-fathers to steal from?—A. No, sir.

Q. What is the population of your city?—A. About twenty-six thousand, may be; I cannot be certain, but I judge that from the last Directory that was published.

On motion the committee stood adjourned, subject to the call of the chairman.

TESTIMONY OF T. C. GROOMES.

T. C. GROOMES sworn and examined.

By the CHAIRMAN:

Question. You may state where you live.—Answer. At Greencastle, Putnam County.

Q. What are you engaged in there?—A. Practicing law.

Q. How long have you lived there?—A. Forty years. I was born and raised there.

Q. Do you know George Langsdale, the editor of the Greencastle Banner?—A. I am very well acquainted with him.

Q. What official position does he occupy there?—A. Postmaster.

Q. How large a place is Greencastle?—A. We have about six thousand people.

Q. It is the site of Asbury University?—A. Yes, sir.

Q. And the county seat of Putnam County?—A. Yes, sir.

Q. A large and wealthy county?—A. Yes, sir.

Q. How long has Langsdale been postmaster?—A. He is in his second term now.

Q. He was appointed first by President Grant?—A. Yes, sir; and I think his second term began last July.

Q. You say he is the editor of the Greencastle Banner?—A. Yes, sir.

Q. What are its politics?—A. Republican. It is a Republican organ for that county.

Q. Have you got a file of that paper with you?—A. Yes, sir.

Q. If you can, please turn to the editorial of that paper of November 28, 1878.

Q. I will ask whether there had been an election that fall in Indiana in which the Republicans were badly beaten?—A. Yes, sir; on the second Tuesday in October.

Q. What was the result?—A. The entire Democratic ticket in the county was elected except the county treasurer.

Q. What was the result in the State?—A. The State went Democratic.

Q. By some fourteen or fifteen thousand, didn't it?—A. I think it was up in the thousands somewhere.

Q. Can you recall for a moment what General Manson's majority was?—A. Thirteen or fourteen thousand.

Q. They also elected a Democratic legislature by a large majority?—A. Yes, sir.

Q. Will you now turn to the article of December 12, 1878, headed "Will they come north?" and read it?

On motion the committee adjourned to Friday, February 6, at 10 o'clock a. m.

TESTIMONY OF T. C. GROOMES.

T. C. GROOMES sworn and examined:

By the CHAIRMAN:

Question. Mr. Groomes, on Wednesday you were proceeding at my request to lay before the committee certain matters in the Greencastle Banner; I will ask you to turn to the article of January 23, 1879?—Answer. That is the article that authorizes the resolution of Senator Windom.

Q. I will read the article (reading.)

[January 23, 1879, Banner.]

The proposition of the Banner that the colored men of the South emigrate to the North, where their political freedom is secure, has been adopted by Senator Windom, who, on the 16th instant, introduced the following resolution into the United States Senate:

ed, That with a view to the peaceful adjustment of all questions relating to the effectual enforcement of Constitutional and national rights, and to the n of the best interest of the whole country by the elimination of sectionalism tics, a committee of seven Senators be appointed by the chair and charged duty of inquiring as to the expediency and practicability of encouraging and g by all just and proper methods the partial migration of colored persons from tes and Congressional districts where they are not allowed to freely and peace- rcise and enjoy their Constitutional rights as American citizens, into such s may desire to receive them, and will protect them in the said rights, or Territory or Territories of the United States as may be provided for their use pation; and if the said committee shall deem such migration expedient and le, that they report, by bill or otherwise, what in their judgment is the most method of accomplishing that object; and that the said committee have leave ing recess."

solution was laid on the table for the present, at the request of Mr. Windom, ave notice that he would call it up soon and submit some remarks. The time nate during which it will be under Republican control, is so short, that prob- ing can be done in the way suggested by the resolution, but it will serve to ttention of the country to the subject, and promote the emigration of Repub- m the terrorized districts of the South to the free North.

recognize this as matter from the Greencastle Banner?—A. Yes,

ith your note?—A. Yes, sir; I made it.

lease read it.

witness read as follows:

he negroes, can render the country some service, &c.

rn to the issue of March 20, 1879.

Witness read as follows:

is great alarm in the South at the prospect of losing the colored laborers, packing up their beds and walking off to the North, &c.

ow read from the issue of August 21, 1879, the article headed mers."

ou stated to the committee that you were born and raised in astle?—A. Yes, sir.

ave you made yourself familiar to any extent with the condition e emigrant folks?—A. I am about the court-house frequently, ile there I have seen batches of three, four, to six and ten here at the clerk's office and at the sheriff's office. I think about batch I saw I went into the clerk's office, and there were prob- lf a dozen in there.

hat were they wanting?—A. They were asking some one to interest in their behalf and get them back to North Carolina. id they had not found things as they were represented.

d you hear them say so?—A. Yes, sir; I think I heard four of

d you ever hear these folks talking that way at other times?— ve heard others talk that way. That same party did get away, —those four.

costs them more to get away than it does to get there, does it A. Yes, sir; from what they said.

bout twice as much?—A. Yes. sir. I think I was in the sher- e when some women were in there. I think this Chloe Smith here and four or five others. There were one or two women husbands were still in North Carolina.

hat were they wanting?—A. She was wanting Mr. Allen or the to write to these parties they had formerly lived with for money n home on. They had failed to find places to work. I never ed with one of them. I do not know that I ever spoke to one

ou know of no effort to persuade them to go home?—A. No, sir.
ho was the local correspondent of the Cincinnati Gazette, at
stle?—A. The rumor is that it is young Darnell, assistant post-
or deputy postmaster at Greencastle.
e is in Langsdale's employ, is he not?—A. He is his deputy.
ow, having lived there all your life, do you know of any call for
ss of people there?—A. No, sir; we have no demand for addi-
abor. If there is any such demand it is of very recent date. In
ave kept that class of people in my employment, and the resi-
groes there complain very bitterly against these new-comers.
hy is that?—A. They say it will cut down wages and increase
ber of laborers.
nce the panic and these hard times is it not true, notoriously so,
ny people are out of work in that section of the country?—A.
. In our county I think I can find them, plenty of them, who do
work all the time. In the harvest time there is some little de-

ow long does that last; two weeks?—A. Yes, sir, probably
hat is, the hay season and the wheat season.

By Mr. WINDOM:

hat is your business?—A. Practicing law.
hat political party are you with?—A. The Democratic party.
hat have you heard of the efforts to intimidate people from em-
these emigrants?—A. Nothing.
othing whatever?—A. No, sir.
d you hear of that house being burned?—A. Yes, sir; I heard
hat were burned, and one that had a tree felled across it.
ey were under preparation at the time for colored tenants?—A.
s up in Wilson's, in Russell township; it was being prepared by
nt himself.
d you hear of these attempts made at Shelbyville?—A. Yes,
eard of it through the newspapers. I heard that the people
ere opposed to their coming.
hat effect do you think those things would have on the demand
labor, that houses being prepared for them were burned down?—
not think it will increase it. The impression is that these Re-
ns burned it down themselves. Up there they oppose it, but the
cans in our locality generally favor it.
re the Republicans up there worse against the negroes than
the Democrats?—A. No, sir; I do not say that. The opposi-
hat party comes from that township. It is a strong Republican
p, and there are not many Democrats up there. We pay no
ar attention to it during election time, and it is always very

here are Democrats in that vicinity, though?—A. Yes, sir; not
nmediate vicinity, but within four or five miles.
ho told you that the Republicans did it?—A. It is common talk
olic, that when the grand jury meets they will fasten it on some
Republicans.
ey think an investigation of it ought to be made?—A. Yes,

nd you will attempt to fasten it on the Republicans?—A. We
empt to fasten it on the guilty ones.
o you know that that impression is sought to be made by mem-
your party in order to avoid the odium of burning houses over
of negro emigrants?—A. No, sir.

ou not believe it?—A. I do not.
who you heard say that.—A. I do not know who.
ou know that you heard anybody say it?—A. Yes, sir.
ıot an impression born of your own imagination that you
No, sir; they were not created in that way in my mind.
ou say who said it to you?—A. No, sir.
e did you hear it?—A. At home, in Greencastle.
ıot talked of very much, is it?—A. I cannot say how much.
many people did you hear say it?—A. I do not know that I
re than once. I cannot state who was present, or what was
ılarly.
heard somebody say so that made an impression on your
Well, I thought it was more likely among Republicans than
se, for the reason that most of them there were opposed to
es.
were they who were opposed to them?—A. I cannot say.
ou ever hear of any of them?—A. Yes, sir; but I am not
s time, to enumerate them, or particularize them.
on ever hear Republicans making threats against them?—
; I never heard of a threat from a Republican or a Democrat
ıty. For political reasons some of them might have done so,
ot know it.
saw these people in the sheriff's office, you say?—A. Yes, sir;
e when they were there.
ou know how they got there?—A. No, sir; I do not.
ou know at whose invitation they were there?—A. I do not
nay have heard that they were there to get a letter written.
Mr. Lewman there at the time?—A. Mr. Lewman was not
ut Mr. Allen, his deputy, was writing a letter for Chloe
ink.
Allen wrote that letter that was read here this morning?—
t know, sir. I did not read it.
was it to?—A. It was to some person in North Carolina.
that was read here this morning sounds familiar, though.
ctating what she wanted to express.
r feelings were expressed through Mr. Allen?—A. Yes, sir;

was the correspondent of the Cincinnati Gazette?—A. I say
is that it is Mr. Darnell.
ou know a Mr. Moore who is there from Cincinnati?—A. No,
r heard of him.
t was it you heard these people say about their condition?—
aid they were disappointed in every way. They found no
the wages as represented in the circulars and by the people
there to North Carolina.
many of them came to your county?—A. I have no definite
number. I have heard it estimated at two hundred and
women, and children. My impression is there were seventy-
who came into that county. The first batch, I think, were
Numbers of them got places, and some did not. Some went
and some to Indianapolis. Some went to Hendricks County,
o Plainfield. I think that Mr. Hanna took some of them

many did not find employment?—A. I do not know, but you
em standing about the streets every day, eight or ten in a

Q. You do not know how many failed to get work?—A. No, sir; only that I heard them say they did not. There is a family I have that lives on my place. The man told me that a committee of white gentlemen came to his house, and wanted to arrange to have him take two or three women and keep them, but he declined to do it.

Q. You speak of hard times since the panic of 1873. Has that not been true all over the country?—A. I think so.

Q. Not more so in Indiana than elsewhere?—A. I do not know, except as to my own county. I know of people who own land who do not cultivate as much as they did before, and they make more money by not cultivating it.

Q. In what way?—A. By grazing it. They can purchase corn in Illinois and ship it in there for less than they can grow it.

EXHIBIT A.

(Refers to Cromwell's testimony.)

Last July we held a State conference; that is, I mean the delegates, of whom I was one. This conference was held in the city of Houston for the purpose of consulting the best steps to be taken with regard to the migration of the colored people, and also to their future elevation. I had the honor of being elected one of the commissioners on migration from the sixth Congressional district. I have been traveling over the counties of my district ever since, lecturing to my people. My subjects are political, financial, educational, social, moral, and religious culture. Our people, my friend, need teaching more than they do emigration. I am sorry to have to say it, but it is the truth concerning them. I make it my business, as commissioner, to go into each one of the counties where there is a large portion of colored people and lecture to them in the court-house. I tell the white people what we want, and our people what they must do for themselves; that they must reform, and must do it peaceably. I never pick or choose committees to go to their assistance. I have been in some of the most desperate counties in the State. I tell the white men what the colored men desire, but at the same time I don't forget to tell my race that their negligence, cowardice, and dissipation are what has brought the colored people as low as they are, and unless they reform themselves they can never command respect here or in the North. Education, wealth, and independence are what the colored man needs, and these must be brought about by virtuous cultivation. I am as poor as any man can be, and yet I was elected commissioner of this migration. I was elected without a dollar to work with, so I had to do the best I could without money, and depend entirely upon the people, which does not suit the preachers. Since last July I have gone through the following counties, and received the following amounts from each county: Hays County, $4.40; Caldwell County, $16.50; Guadalupe County, $8.90; Comal County, $3.20; Blanco County, $1.50; Kendall County, $2.75; Kerr County, $2.55; Wilson County, $6.85; Gonzales County, $14.35; De Witt County, $26.95; Victoria County $21.20; Goliad County, $13.40; the total amounting to $122.55. In many counties I have walked from thirty to forty miles, because the people were so poor they could not help me. But what encourages me to go on is that at the present time my work is appreciated very highly by my people. Everywhere I go they say it makes them feel glad and proud to see that the day has come when they have men with the courage and ability to advocate their cause before the white people, and also to teach them things that they have not heretofore known, but must learn in order to rise to success and command respect.

Now, sir, I think if we had good, able, and courageous men to advocate the cause of our people much good could be done, but it takes money. Such men must be paid a salary. If we are expected to do a great work we ought to get something for our labor. Is this not so? I tell you, my friend, this is no child's play—this work we have to perform. But I am, by the help of God, trying to do all I can for my people. The white people think we are getting paid by the government, but we do not get a cent from the government.

e write to me at Indianola, Calhoun County, Texas. Send me a copy of the lings of the Nashville conference, and also a copy of your paper.
remain your humble servant,

G. M. TROUSDAIR,
Commissioner on Migration, Sixth Congressional District.

CROMWELL, Esq.,
Washington, D. C.

EXHIBIT B.

VICTORIA, TEX., *January* 12, 1880.

ECTED SIR: Having received a copy of the proceedings of the Nashville confer- am happy to say that I am very much pleased with its labors. Every colored ght to have a copy of those minutes, as there is some very instructive advice ound in them. As for myself, my education is very limited, but I am happy to t I am young in years, and God is continually blessing me with good health ellent brains for learning. Then ought I not to be thankful, and to trust in r future mercies? Yes, sir; I do thank God for the past, and trust Him for the which the whole of our oppressed race ought to do. But I tell you, sir, they . The reason I speak as I do is because I am an eye-witness of this people, and r moral and religious conduct.

EXHIBIT C.

"FOLDING THEIR TENTS."

reaction of the exodus movement on the part of the colored people from this to Kansas has set in in earnest, and every train coming south brings some of ack. Those that emigrated were principally from the southern counties. Last g at the Union depot a Herald reporter met with an old negro man named Ed- urleson, who had gone with eight others of his race from Burleson County on h of November. They went by rail to Parsons, where they found a large num- their race quartered in the churches, school-houses, and other buildings not ently occupied, like a lot of sheep huddled together. There were temporary res of plank not much larger than a shed to which a large number of them ving. Every empty house in the country was filled to its utmost. After pay- ir railroad fare, with but few exceptions, none of them had any money left, and he cold snap came on their suffering was terrible. The night before he left one of their number froze to death. The cold was intense, and their clothing thin and their bed clothing skimpy, they suffered severely. Destitute and es, they have been forced to forage on the surrounding country for food to keep live, and would have frozen to death had they not stolen coal from the railroad. epredations on the settlers have caused an ill-feeling on the part of the residents them, and they are fast feeling the effects of their displeasure. He says that cash, and lots of it, to purchase the bare necessities of life. The only thing he t was cheap was corn, which sells at from ten to twenty-eight cents a bushel. were so many of them together that it was impossible for them to get work at ce. Land rents are required to be paid cash down, and the rates are generally ree to four dollars an acre. Lands that rent at this price are without fences es of any kind. He thought the lands of Texas far superior, while they pro- greater variety. "I would not, so far as I am concerned, give Burleson County whole of Kansas," said the old man with much earnestness. They wish them- ack, but the trouble is, they have spent all their money getting there, and but w have anything to get away on. He went from Parsons to Emporia, where d the same state of affairs existing. There are numbers of them leaving every ot, and without means, walking through to this State on their return home. the women that accompanied him was sent back by her husband, who had enough money to pay her passage, while he is coming through afoot. He re- he whole matter as a political movement engendered by the Republicans for pose of swelling the vote of Kansas. In his opinion the seeds of discontent were t the convention held at Houston in July last by the colored people, by white ed politicians. The main instrument in his county in gulling his race into their homes was Horace Ruby, a *Jim-crow* politician and a school-teacher.

The poor, deluded blacks are awakening to their true situation, and are beginning to realize that they have been inveigled there for no other purpose than to secure their votes. Parson Duncan, the sable politician so well and unfavorably known to the blacks of this city, has been one of the principal agitators in the movement. He was stationed for awhile at Denison to receive and rob his race as they passed out of the State. He would take their money to purchase their tickets, and represented invarably that it cost more than it did. He was caught up with and arrested, but on returning the amount he had stolen he was set at liberty. He is wanted at Parsons for some of his crookedness, but sloped, and has not yet been apprehended. As for himself, the old man said that he was going back to Burleson County to stay.—[Dallas (Texas) Herald.]

EXHIBIT D.

There were about four millions of slaves set free and turned into the highways without a place to lay their heads or means of support, save their own muscles. They do not need charity, but they do need advice, assistance, and opportunity to purchase and pay for homes. The South never can prosper as it should until its great land estates be divided and sold to actual cultivators. At first, very generally, the owners of these were not disposed to sell to the negroes. In many parts it is not so now. At the North there is abundance of capital seeking investment, and it does seem to me that the time is favorable for a national organization to buy these lands and sell them to white and colored people on such terms and at such rates as they can pay for them, and will yield a reasonable profit to those who invest their money in the enterprise. Could not the government also lend a helping hand?—(Philadelphia Times.)

EXHIBIT E.

A great deal of fuss is being made nowadays by Democratic papers and politicians, and also by milk and water Republicans, about the immigration of colored people to this State from the South. The talk about colonization is the silliest nonsense, mere moonshine. There is no need for colonization societies in Indiana. The colonization organizations are at the other end of the line—shot-gun, bulldozing, rebel, Democratic banditti of the South.

The brutal conduct of these scoundrels has made the exodus a necessity. The only thing political in this exodus is the desire of these unfortunate, down-trodden people to find a land in which political liberty and commercial honesty are recognized and respected. In Indiana, Illinois, Michigan, Kansas, and the great Northwest, they find such a land and a civilization as far in advance of the barbaric customs of the South as a Christian is in advance of a cannibal. The gallant soldier boys of the North who languished in Southern prisons during the war know the brutish instincts of Southern rebels and they know that the reports of the outrages to which the colored people are subjected are not exaggerated. The exodus will only stop when a citizen of the United States is as free to express and vote his sentiments in North Carolina as he is in Indiana.—(Indianopolis Leader.)

(Refers to O'Hara's testimony.)

Ex-judge William J. Clark has commenced the publication at Raleigh of a Republican paper, the Signal, and has the following to say on the present exodus going on from this district: * * * "He sees the colored man in many counties excluded from the jury-box because of his color, and that a negro accused of crime is convicted on half the evidence which is necessary to convict a white man, and in many cases cruel and severe punishments inflicted on the negro who has been convicted of some petty felony."

Again, in commenting on Senator Ransom's speech in Congress on the exodus investigation, the Signal says:

"We dare say, the Senator has never attended an inferior court in Wayne or Lenoir County, or a court of a justice of the peace at a cross-roads grocery in that section, since the election of magistrates was taken from the people, and the legislature took to appointing them; if he had, he would not say that the negro obtains justice *in facie curiæ*.

CHAPTER CXLI.

AN ACT to establish county governments.

SECTION 1. *The general assembly of North Carolina do enact*, Every county is a body politic and corporate, and shall have the powers prescribed by statute and those necessarily implied by law, and no others.

SEC. 2. In each county there shall be elected biennially, by the qualified voters thereof, as provided for the election of members of the general assembly, a treasurer, register of deeds, and surveyor: *Provided, however*, That a majority of the justices may abolish the office of treasurer, and thereupon the duties and liabilities now attached to the office shall devolve upon the sheriff.

SEC 3. That townships heretofore created or hereafter established shall be distinguished by well-defined boundaries, and may be altered and additional townships created by the board of county commissioners, but no township shall have or exercise any corporate powers whatever, unless allowed by act of general assembly, to be exercised under the supervision of the board of county commissioners.

SEC. 4. The justices of the peace shall be elected by the general assembly. The general assembly at its present session shall elect three justices of the peace for each township in the several counties of the State, who shall be divided into three classes, and hold their offices for two, four, and six years respectively, but the successors of each class, as its terms expires, shall be elected by the general assembly for the term of six years. In addition to the justices of the peace above provided for, there shall be elected by the general assembly, for each township in which any city or incorporated town is situated, one justice of the peace, and also one for every one thousand inhabitants in such city or town, who shall hold their office for the term of six years. The secretary of state shall certify to the clerks of the superior courts of the several counties in the State a list of all justices of the peace elected, for their several counties, with the terms for which they shall have been appointed, and this shall be their commission, and the clerk of their superior court shall notify said justices of their appointment, who shall thereupon be entitled to enter upon the duties of their office, upon taking before the said clerk the oath of office now prescribed by law for justices of the peace. But the terms of those elected at the present session of the general assembly shall begin at the expiration of the terms for which the justices of the peace now in office have been elected and not before. When new townships shall be established, if the general assembly shall not be in session, the governor shall appoint the justices of the peace therein, and they shall hold their office until the next meeting of the general assembly, and until their successors shall be elected and qualified.

SEC. 5. The justices of the peace for each county, on the first Monday in August, every two years thereafter, shall assemble at the court-house of their respective counties, and, a majority being present, shall proceed to the election of not less than three nor more than five persons, to be chosen from the body of the county (including the justices of the peace), who shall be styled the board of commissioners for the county, and shall hold their offices for two years from the date of their qualification, and until their successors shall be elected and qualified. But those elected on the first Monday in August, one thousand eight hundred and seventy-eight, shall enter upon the duties of their office immediately upon the expiration of the term for which the board of county commissioners now in office have been elected and not before. They shall be qualified by taking the oath of office before the clerk of the superior court or some judge or justice of the peace, as now prescribed by law, and the register of deeds shall be *ex officio* clerk of the board of commissioners: *Provided, however*, That the board of commissioners shall not have power to levy taxes, to purchase real property, to remove or designate new sites for county buildings, to construct or repair bridges, the cost whereof may exceed five hundred dollars, or to borrow money for the county, nor alter or make additional townships, without the concurrence of a majority of the justices of the peace sitting with them; and for the purposes embraced in this proviso the justices of the peace of the county shall meet with the board of commissioners on the first Monday in August, one thousand eight hundred and seventy-eight, and annually thereafter, unless oftener convened by the board of commissioners, who are hereby empowered to call together the justices of the peace, when necessary, not oftener than once in three months, but, for such services the justices of the peace shall receive no compensation.

SEC. 6. The board of commissioners so elected shall have and exercise the jurisdiction and powers vested in the board of commissioners now existing, and also those vested in and exercised by the board of trustees of the several townships, except as may hereafter be prescribed by law; and they shall hold their sessions as may be prescribed by law.

SEC. 7. All the provisions of article seven of the constitution inconsistent with this act, except those contained in sections seven, nine, and thirteen, are hereby abrogated, and the provisions of this act substituted in their place; *subject, however*, to the power

of the general assembly to alter, amend, or abrogate the provisions of this act, and to substitute others in their stead, as provided for in section fourteen of article seven of the constitution.

SEC. 8. This act shall be in force from and after its ratification.

Ratified the 27th day of February, A. D. 1877.

ARTICLE VII.

Municipal corporations.

SECTION 1. In each county there shall be elected biennially by the qualified voters thereof, as provided for the election of members of the general assembly, the following officers: a treasurer, register of deeds, surveyor, and five commissioners.

SEC. 2. It shall be the duty of the commissioners to exercise a general supervision and control of the penal and charitable institutions, schools, roads, bridges, levying of taxes, and finances of the county, as may be prescribed by law. The register of deeds shall be *ex officio* clerk of the board of commissioners.

SEC. 3. It shall be the duty of the commissioners first elected in each county to divide the same into convenient districts, to determine the boundaries and prescibe the name of the said districts, and to report the same to the general assembly before the first day of January, 1869.

SEC. 4. Upon the approval of the reports provided for in the foregoing section, by the general assembly, the said districts shall have corporate powers for the necessary purposes of local government, and shall be known as townships.

SEC. 5. In each township there shall be biennially elected, by the qualified voters thereof, a clerk and two justices of the peace, who shall constitute a board of trustees, and shall, under the supervision of the county commissioners, have control of the taxes and finances, roads and bridges of the townships, as may be prescribed by law. The general assembly may provide for the election of a larger number of justices of the peace in cities and towns, and in those townships in which cities and towns are situated. In every township there shall also be biennially elected a school committee, consisting of three persons, whose duty shall be prescribed by law.

SEC. 6. The township board of trustees shall assess the taxable property of their townships and make return to the county commissioners for revision, as may be prescribed by law. The clerk shall also be *ex officio* treasurer of the township.

SEC. 7. No county, city, town, or other municipal corporation shall contract any debt, pledge its faith, or loan its credit, nor shall any tax be levied or collected by any officers of the same, except for the necessary expenses thereof, unless by a vote of a majority of the qualified voters therein.

SEC. 8. No money shall be drawn from any county or township treasury, except by authority of law.

SEC. 9. All taxes levied by any county, city, town, or township shall be uniform and *ad valorem* upon all property in the same, except property exempted by this constitution.

SEC. 10. The county officers first elected under the provisions of this article shall enter upon their duties ten days after the approval of this constitution by the Congress of the United States.

SEC. 11. The governor shall appoint a sufficient number of justices of the peace, in each county, who shall hold their places until sections four, five, and six of this article shall have been carried into effect.

SEC. 12. All charters, ordinances, and provisions relating to municipal corporations shall remain in force until legally changed, unless inconsistent with the provisions of this constitution.

SEC. 13. No county, city, town, or municipal corporation shall assume, or pay, nor shall any tax be levied or collected for the payment of any debt, or the interest upon any debt contracted, directly or indirectly, in aid or support of the rebellion.

SEC. 14. The general assembly shall have full power by statute to modify, change, or abrogate any and all of the provisions of this article, and substitute others in their place, except sections 7, 9, and 13.

CHAPTER CCLXXXIII.

AN ACT to amend the "landlord and tenant act."

SECTION 1. *The general assembly of North Carolina do enact*, That when lands shall be rented or leased by agreement, written or verbal, for agricultural purposes, or shall be cultivated by a cropper, unless otherwise agreed between the parties to the lease o agreement, any and all crops raised on said land shall be deemed and held to be veste in possession of the lessor, or his assigns, at all times, until the rents for said lan d shall be paid, and until all the stipulations contained in the lease or agreement sha

be performed, or damages in lieu thereof shall be paid to the lessor or his assigns; and until said party or his assigns shall be paid for all advancements made, and expenses incurred in making and saving said crops. This lien shall be preferred to all other liens, and the lessor or his assigns shall be entitled against the lessee or cropper, or the assigns of either, who shall remove the crop or any part thereof from the land without the consent of the lessor or his assigns, or against any other person who may get possession of said crop, or any part thereof, to the remedies given in an action upon a claim for the delivery of personal property.

SEC. 2. That whenever the lessor or his assigns shall get the actual possession of the crop, or any part thereof, otherwise than by the mode prescribed in the preceding section, and said lessor or his assigns shall refuse or neglect, upon a notice, written or verbal, of five days, given by the lessee or cropper, or the assigns of either, to make a fair division of said crop, or to pay over to such lessee or cropper, or the assigns of either, such part thereof as he may be entitled to under the lease or agreement, then and in that case the lessee or cropper, or the assigns of either, shall be entitled against the lessor or his assigns to the remedies given in action upon a claim for the delivery of personal property, to recover such part of the crop as he, in law and according to the lease or agreement may be entitled to. The amount or quantity of such crop claimed by said lessee or cropper, or the assigns of either, together with a statement of the grounds upon which it is claimed, shall be fully set forth in an affidavit at the beginning of the action.

SEC. 3. That where any controversy shall arise between the parties and neither party avails himself of the provisions of the first and second sections of the act, it shall be competent for either party to proceed at once to have the matter determined in the court of a justice of the peace, if the amount claimed be two hundred dollars or less, and in the superior court of the county where the property is situated if the amount so claimed shall be more than two hundred dollars. But in case there shall be a continuance or an appeal from the justice's decision to the superior court, the lessee or cropper, or the assigns of either, shall be allowed to retain possession of said property upon his giving bond to the lessor or his assigns, or the adverse party, in a sum double the amount of the claim, if such claim does not amount to more than the value of such property, otherwise to double the value of such property, with good and sufficient security, to be approved by the justice of the peace or the clerk of the superior court, conditioned for the faithful payment to the adverse party of such damages as he shall recover in said action.

SEC. 4. That in case the lessee or cropper, or the assigns of either, shall, at the time of the appeal or continuance mentioned in the third section of this act, fail to give the bond therein required, then the constable or other lawful officer shall deliver the property into the actual possession of the lessor or his assigns, upon the lessor or his assigns giving to the adverse party a bond in double the amount of said property, to be justified as required in the third section aforesaid, conditioned for the forthcoming of such property, or the value thereof, in case judgment shall be pronounced against him.

SEC. 5. That in case neither of the parties give the bond described in the third and fourth sections of this act, then and in that case it shall be the duty of the justice of the peace or the clerk of the superior court, in whichsoever the same shall be pending, to issue an order to the constable or sheriff or other lawful officer, as the case may be, directing him to take into his possession all of said property, or so much thereof as shall be necessary to satisfy the claimant's demand and costs, and to sell the same under the rules and regulations prescribed by law for the sale of personal property under execution, and to hold the proceeds thereof subject to the decision of the court upon the issue or issues pending between the parties. That in all cases in the superior court arising under this act the return term shall be the trial term.

SEC. 6. That any lessee or cropper, or the assigns of either, or any other person, who shall remove said crop, or any part thereof, from such land without the consent of the lessor or his assigns, and without giving him or his agent five days' notice of such intended removal, and before satisfying all liens held by the lessor or his assigns on said crop, shall be guilty of a misdemeanor.

SEC. 7. That the provisions of this act, and the act to which this is amendatory, shall apply to all leases or contracts to lease turpentine trees, and the parties thereto shall be fully subject to the provisions and penalties of this act.

SEC. 8. That sections thirteen, fourteen, and fifteen of chapter sixty-four, of Battle's Revisal, and chapter two hundred and nine of the laws of one thousand eight hundred and seventy-four and one thousand eight hundred and seventy-five, and all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 9. That this act shall be in force from and after its ratification.

Ratified the 12th day of March, 1877.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 694.

IN THE SENATE OF THE UNITED STATES.

JUNE 2, 1880.—Ordered to be printed.

Mr. GROOME, from the Committee on Pensions, submitted the following

REPORT:

The Committee on Pensions, to whom was referred the petition of Margaret Longshaw, mother of William Longshaw, jr., have examined the same, and report:

That they are convinced from the evidence that the applicant does not come within the class known as "dependent relatives"; for while it is shown that her son contributed to her support during his lifetime, it is also shown that she possesses considerable property, both personal and real. The committee therefore ask to be discharged from the further consideration of the petition, and that it be indefinitely postponed.

○

I CONGRESS, } SENATE. { REPORT
2d Session. } { No. 695.

IN THE SENATE OF THE UNITED STATES.

JUNE 4, 1880.—Ordered to be printed.

CALL, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1815.]

The Committee on Pensions, to whom was referred the petition of Cecil Clay, praying for a pension, have considered the same, and report:

Cecil Clay entered the service in 1862 as captain in the Fifty-eighth Regiment of Pennsylvania Volunteers. He served with conspicuous courage and ability in the most severe and hotly contested engagements of the war. He commanded his regiment the greater part of the time, and was brevetted colonel and brigadier-general for gallant services in field, notably at Cold Harbor and Fort Harrison, where he was wounded, losing his right arm, and severely wounded in his left hand while carrying the fort colors planted on the works in the assault.

General Ord, commanding general, states of him as follows: "It was mainly due to a few such officers as yourself, and regiments such as the Fifty-eighth Pennsylvania Volunteers, that our troops captured the approaches south of Richmond."

General Weitzel says of him: "He was a magnificent commander of a magnificent regiment."

General Terry says: "I desire to unite with General Weitzel in expressing my high regard for him as a soldier and a commander."

In view of the fact of the practical loss of both arms, and of his serving as colonel during nearly the whole period of his service, and of the fact that there was no colonel of the regiment until Lieutenant-Colonel Clay was appointed, the committee recommend the passage of the bill granting him a pension of thirty dollars a month.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 696.

IN THE SENATE OF THE UNITED STATES.

JUNE 4, 1880.—Ordered to be printed.

Mr. KIRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 2407.]

The Committee on Pensions, to whom was referred the bill (H. R. 2407) granting a pension to Belinda Curtis, have carefully examined the same, and report that the deceased husband of the claimant was a soldier of the Mexican war, and attained the rank of major-general in the late civil war.

The claim was rejected by the Commissioner of Pensions for the reason that the evidence was not sufficient to show that General Curtis died of disease contracted in the service in the line of duty. While this is probably true in a technical sense, the evidence submitted leaves no reasonable doubt that such is the fact. The committee therefore recommend that the bill be passed with an amendment striking out the word "fifty," in line 6, and inserting in lieu thereof the word "thirty."

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 697.

IN THE SENATE OF THE UNITED STATES.

JUNE 4, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1521.]

The Committee on Pensions, to whom was referred the bill (S. 1521) granting a pension to David W. Combs, private Company C, Thirteenth United States Volunteers, Mexican war, have carefully examined the same, and report:

That his application for a pension was rejected by the Commissioner of Pensions because of disloyalty, the claimant having admitted that he voted for the ordinance of secession, and was consequently debarred by section 4716 Revised Statutes.

The fact of service during the Mexican war, and of the existence of disability from disease contracted in the service and in the line of duty, being established, and the additional fact that he took no part in the war of the rebellion, being a Union man, and in addition disabled by age and infirmity, constitute, in the judgment of the committee, sufficient reason for not excluding him from the benefits to which his services to his country and his sufferings from disease contracted in that service justly entitle him. They therefore recommend the passage of the bill.

○

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 698.

IN THE SENATE OF THE UNITED STATES.

JUNE 4, 1880.—Ordered to be printed.

Mr. PLATT, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 365.]

The Committee on Pensions, to whom was referred the bill (S. 365) granting a pension to Hardie Hogan Helper, having considered the same, respectfully report:

Mr. Helper enlisted August 18, 1861, in Eighth Illinois Cavalry, and was discharged, at his own request, February 1, 1862, that he might act under General Burnside in a civil capacity. He was employed by General Burnside in the secret service, and while so acting was directed by General Burnside to burn the railroad bridge at New Berne, N. C. In performing this service he was subjected to great exposure and hardship during eight days and nights, and contracted the disease which has resulted in paralysis and almost total helplessness.

The committee recommend the passage of the bill with an amendment, adding at the end of the bill the words "and pay him a pension at the rate of $10 per month from the passage of this act."

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 699.

IN THE SENATE OF THE UNITED STATES.

JUNE 5, 1880.—Ordered to be printed.

Mr. PLATT, from the Committee on Pensions, submitted the following

REPORT:

[[To accompany bill S. 1776.]

The Committee on Pensions, to whom was referred the petition of Margaret S. Heintzelman, widow of Major-General Samuel P. Heintzelman, praying for the passage of a bill granting her a pension at the rate of $50 per month; also Senate bill 1776 granting such pension, respectfully report:

Major General Heintzelman died May 1, 1880, at the age of seventy-five years. He entered the military service of the United States July 1, 1822, and was retired from active service on the 22d of February, 1869. During his term of more than forty-five years of continuous service he was engaged and distinguished himself in the Florida war, in the war with Mexico, in expeditions against the Indians in California and Oregon, and in the war of the rebellion, being twice wounded in action. His military service was faithful and brilliant, and his death is believed to have resulted from wounds received in line of duty.

He left his family no property adequate for their support.

In view of the action of Congress in similar cases, the committee recommend that the prayer of the petition be granted and the bill passed.

○

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 700.

IN THE SENATE OF THE UNITED STATES.

JUNE 5, 1880.—Ordered to be printed.

Mr. GROOME, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1038.]

The Committee on Pensions, to whom was referred the bill (S. 1038) granting an increase of pension to Edward Howard, have examined the same, and report:

That the applicant is now receiving a pension of $24 per month, the full amount he is entitled to under the law. The bill proposes to pay him arrears, and, in accordance with their general rule to report unfavorably upon all applications for arrears of pension, the committee ask to be discharged from the further consideration of the bill, and that it be indefinitely postponed.

O

TH CONGRESS, } SENATE. { REPORT
2d Session. } { No. 701.

IN THE SENATE OF THE UNITED STATES.

JUNE 5, 1880.—Ordered to be printed.

r. GROOME, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 972.]

The Committee on Pensions, to whom was refered the bill (S. 972) granting an increase of pension to Mrs. Anna I. Guest, have examined the same, and report:

That Commodore John Guest, the late husband of the applicant, enisted in the Navy in the year 1837, and served with distinction in the ar with Mexico. He was with Commodore Perry in the Japan Expedition, rendering gallant service, and assisted in laying the first cable cross the Atlantic. He participated in a large number of naval engagements during the war of the rebellion, and displayed great courage herein. In January 1879, while in command at the navy-yard at Portsmouth, N. H., he died of Bright's disease, which his surgeons say was contracted in the line of duty. In view of his long and distinguished services, he committee recommend that the bill pass.

O

CONGRESS, } SENATE. { REPORT
Session. } { No. 702.

IN THE SENATE OF THE UNITED STATES.

JUNE 5, 1880.—Ordered to be printed.

ROOME, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1676.]

mmittee on Pensions, to whom was referred the bill (S. 1676) grant-an increase of pension to St. Clair A. Mulholland, have had the same er consideration, and beg leave to submit the following report:

Clair A. Mulholland entered the service September 2, 1862, as nant-colonel One hundred and sixteenth Regiment Pennsylvania nteers; promoted to colonel May 3, 1864; breveted brigadier and general United States volunteers. At the battle of Fredericks-, Va., December 13, 1862, he was shot through the right leg, and battle of Tolopotomy Creek, Virginia, May 31, 1864, he received shot in the privates, the ball tearing open the scrotum and destroy-he right testicle, then passing into the buttock and coming out near nus. At the close of the war he was awarded half pension, $15 nonth. At the bi-annual examination, 1873, the board of surgeons hiladelphia, Pa., raised him to full pension, or $30 per month. The missioner of Pensions, at the recommendation of the board of sur-ns at Washington, refused the increase.

our committee find that General Mulholland performed most gallant meritorious service, and they believe that the wounds he received e of such a nature as to entitle him to the full pension of $30 per nth, which would have been the pension allowed him had he lost an n in the service.

Your committee, therefore, beg leave to report the bill with an amend nt, and as amended with a recommendation that it pass.

6TH CONGRESS, 2d Session. } SENATE. { REPORT No. 703.

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1880.—Ordered to be printed.

Mr. KIRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

The Committee on Pensions, to whom was referred the petition of Ailsey E. Murphy, praying for a pension, have fully examined the same, and report:

That the petitioner *was* the widow of James H. Ross, late a private in Company A, Eighth Regiment Missouri Cavalry, who enlisted in August, 1861, and was killed in August, 1863.

It appears from the testimony of James A. Akard, who was the captain of the company to which Ross belonged, that he was killed near Carthage, Mo., by bushwhackers, on the 28th of August, 1863, when on his way, in company with some other soldiers, to rejoin his command, after having been to his home in Kansas on a furlough which had been granted him by the said Akard, captain of his company. The committee do not agree with the Commissioner of Pensions, who rejected the claim on the ground that Ross was not in the line of duty when killed, as they believe that he clearly was in the line of duty and that his *then* widow was entitled to a pension as such, and also as the guardian of his three minor children; but the fact that she has since remarried, and that the youngest child has attained the age of nineteen years, deprives her of all claim to said pension. They therefore ask to be discharged from the further consideration of the petition, and that it be indefinitely postponed.

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ONGRESS, } SENATE. { REPORT
Session. } { No. 704.

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1880.—Ordered to be printed.

IRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1615.]

ommittee on Pensions, to whom was referred the bill (S. 1615) grant- a pension to Henry Schroeder, have examined the same, and report:

t Schroeder claims a pension on account of a cutaneous eruption legs, which commenced in 1864, and resulted in weakness of the extremities.

ndell A. Anderson, the examining physician, certifies that he ex- d Schroeder in August, 1865, and found no evidence of any disa- except a slight discoloration of the skin on lower extremities; e consulted the physician who attended him while home on sick n 1864, and was by him informed that he suffered with ulceration h legs, hepatitis, and ascites, and that he was disabled for some fter being discharged, but that he has since improved, and he has reason to believe that in a short time the disability would be en- removed.

Anderson then states that he felt obliged to give these particu- or the reason that the claimant through a friend, proposed a gra- s fee of twenty-five dollars if it would enable him to see the lity more clearly. The case has since been carefully examined o *special agents*, who corroborate the above testimony. The com- , in view of these facts, ask that the bill be indefinitely postponed.

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5TH CONGRESS, 2d Session. } SENATE. { REPORT No. 705.

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1880.—Ordered to be printed.

KIRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 2120.]

Committee on Pensions, to whom was referred the bill (H. R. 2120) granting a pension to Bernard Brady, have carefully examined the same, and report:

The claimant was a private in Company I, Sixty-sixth Regiment Indiana olunteer Infantry, from August 29, 1862, until his discharge, June 3, 1865. ie evidence shows that at the time of his enlistment he was a sound, ealthy man, and that since his discharge he has suffered from varicose ins and an ugly ulcer on one of his legs. He alleges that his disability ises from an injury to his leg, near Atlanta, Ga., on the 11th day of ugust, 1864, caused by a blow from a rail driven against his leg by an exoding shell; that in consequence of this injury he was treated in hospital til November, 1864; that after his discharge from hospital severe rching caused the wound to break out again, and that his disability s continued ever since. He was discharged with regiment June 3, 5, his discharge paper stating there was no objection to his re-enlistnt was known to exist.

Claimant's statement of the injury to his leg is corroborated by the tement of two of his comrades, they fixing the date of the injury me time between the 11th and 14th of August, 1864."

The records of the office of the Surgeon-General of the Army show t "B. Brady, private, Company I, Sixty-sixth Indiana, entered regintal hospital, date not stated, with 'ulcer of leg,' and was transferred ly 31, 1864; entered field hospital, second division, Sixteenth Army rps, near Atlanta, Ga., July 31, 1864 (as Bernard Brady), with ulcer, d was returned to duty August 13, 1864."

It is clear from the hospital record that claimant was in hospital under eatment for ulcer of the leg before the date at which he claims to ve been wounded, and the weight of evidence is that he was not rerned to duty until after the date at which he claims to have received e injury.

The committee therefore recommend that the bill be indefinitely postoned.

CONGRESS, } SENATE. { REPORT
l Session. } { No. 706.

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1880.—Ordered to be printed.

IRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 1938.]

ommittee on Pensions, to whom was referred the bill (H. R. 1938) ting a pension to John H. McBrayer, have carefully examined the , and report:

claim was rejected by the Commissioner of Pensions in accordance ıe provisions of section 4717, Revised Statutes, which has since pealed. There is nothing to prevent the claimant from again ıg to the Pension Commissioner for a full hearing of his claim, accordance with the standing rule of the committee not to pass claim until it shall have been passed upon on its merits by the ssioner, the committee recommend that the bill be indefinitely ned.

H CONGRESS, } SENATE. { REPORT
2d Session. } { No. 707.

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1880.—Ordered to be printed.

. KIRKWOOD, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 3100.]

he Committee on Pensions, to whom was referred the bill (H. R. 3100) granting relief to Samuel B. Hutchison, have carefully examined the same, and report:

The evidence presented before your committee shows that by a special act of Congress, approved March 1, 1869, the name of Mary Ann Shurlock, dependent sister of Samuel Shurlock, late a captain of the Eighty-first Regiment Pennsylvania Volunteers, and who was killed in action at or near Fair Oaks, Va., on the 15th day of June, 1862, was placed on the pension-roll at the rate of $10 per month, and made payable to Samuel B. Hutchison, "committee," or her guardian, a resident of Mauch Chunk, Pa.

That the pension certificate is numbered 153434, and bears date September 8, 1871; that the said Samuel B. Hutchison received the pension up to September 4, 1871, and soon thereafter left for Nottaway County, Virginia, and from there to Virginia City, Nev., and did not return until May 22, 1876, when his said ward, Mary Ann Shurlock, had died; that he provided for his said ward all this time, and expended the sum of $650 for her maintenance, &c., which amount he advanced to James Belford, of Mauch Chunk, Pa., his son-in-law, with whom she had taken up her abode; and who, under oath, acknowledges the receipt of the said $650 in payment for the maintenance, clothing, and funeral expenses of said Mary Ann Shurlock, ward of Samuel B. Hutchison. Owing to his absence from home, and his ignorance of the fact that he could draw the pension money at any other place, he advanced the money aforesaid out of his own purse, expecting, of course, to reimburse himself with the uncollected pension money, as he supposed, due his ward; but no demand for same having been made in the time prescribed by law (three years), payment thereof was refused at the Pension Bureau, and he informed that, in view of his ward's demise, February 5, 1876 (and the dropping of pensioner from the rolls, no claim for payment having been made for three years), there was no law under which her name could be restored to the pension-roll.

This being the fact, your committee, with a view to at least in part reimburse Samuel B. Hutchison, the said "committee" or guardian of Mary Ann Shurlock, deceased, for the support of whom it is shown, under oath, that he expended the sum of $650 out of his own private funds, report and recommend the passage of accompanying bill, as amended, which provides for the restoration of the name of said Mary Ann Shurlock to the pension-roll from September 4, 1871, to the date of her death.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 708.

IN THE SENATE OF THE UNITED STATES.

JUNE 8, 1880.—Ordered to be printed.

Mr. KIRKWOOD, from the Select Committee on the Removal of the Northern Cheyennes, &c., submitted the following

REPORT:

[To accompany S. Res. 120.]

The Select Committee to examine into the circumstances connected with the removal of the Northern Cheyennes from the Sioux Reservation to the Indian Territory, have had under examination the subject committed to them by the resolution of the Senate, and respectfully report:

That four members of the committee visited the Cheyenne and Arapahoe Indians at their present location near Fort Reno, on the North Canadian River, in the Indian Territory, after having examined six Northern Cheyennes at Lawrence, Kans., where they were in prison.

At Fort Reno a number of chiefs and leading men of the several parties or bands of Indians were examined, and also the civil and military officers in charge there, from whom any valuable information could be gained. The evidence taken is herewith reported, and the information gained is in substance as follows:

In 1825 the Cheyenne Indians were a wild and roving tribe, who subsisted by the chase and had no permanent villages. They held, in this way, the country lying between the North Platte and the Arkansas Rivers, extending as far east as a line drawn from the junction of the North and South Forks of the Platte to the Cimarron crossing of the Arkansas River, and as far west as a line drawn along the crest of the Rocky Mountains from the Red Buttes on the north to the headwaters of the Arkansas River on the south. This claim of occupation was not respected by the Sioux, the Poncas, the Utes, the Shoshones, or the Comanches as an exclusive claim of ownership; each of these tribes being accustomed to hunt within those limits as opportunity was offered by the absence of the Cheyennes in other parts of this wide domain. The United States never formally recognized the title of the Cheyennes to this tract of country until the treaty of Little Arkansas River, concluded in October, 1865, and then only as a claim of occupancy which they and the Arapahoes agreed to relinquish.

The Cheyenne and Arapahoe Indians were so nearly related in all respects that the Government of the United States has regarded them as constituting one nation, and so the treaty of 1865 was made with them jointly. The second article of that treaty "set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as they may from time to time agree to admit among them," &c., the country lying between the Arkansas and the Cimarron Rivers, extending as far west as a line to be drawn

from the mouth of Buffalo Creek, on the Cimarron, north, to the Arka River. This land, or a large part of it, was claimed by the Chei Indians under existing treaties with them.

Under a treaty of 27th July, 1853, the Comanches, Kiowas, Apaches were confederated; and under the treaty of October 17, that confederation was dissolved, and the Apaches were received b Cheyennes and Arapahoes "among themselves on an equal footing the members of their own tribes," and the United States agreed t merger of their tribal relations, or the confederation of the tribes. extended to them the benefits and obligations of the treaty of Oct 14, 1865. On the 28th October, 1867, the United States made a t with the Cheyennes and Arapahoes without taking any notice o confederated tribe of Apaches, and it is supposed that this action founded upon the idea that the said tribe was no longer a sepa nation. This last treaty gave the Cheyenne and Arapahoe Indian land bounded on the north by the Kansas line, on the south and by the Cimarron River, and on the east by the Arkansas River, w guaranty of enlargement of the area from contiguous territory, i being surveyed, it should afford less than 160 acres of tillable la each person authorized under the treaty to reside upon it.

This treaty also cut off the privilege given the Indians by the fo treaty of 1865 to reside upon and roam over their old hunting gro between the Platte and the Arkansas, and omitted any reference t right of the President of the United States, "with the assent of *tribe*, to designate for said *tribes* a reservation, no part of which be in the State of Kansas, and cause them as soon as practicable t move and settle thereon." The territory now occupied by the Arapa and Cheyennes seems to have been set apart to them under an exec order of the President on the 10th August, 1869, which, with the pa relating thereto, will be found in the appendix. No part of this la included in the reservation granted by either of the treaties with tribes, and it has never been confirmed to them by act of Congress is entirely south of the Cimarron River, and extends west to T It has no boundaries fixed by law or by the executive order, in w no area is described, and it was never intended to be more than a te rary abiding place for those tribes, where they were to stop unti United States could extinguish the claim of the Cherokees to the l included in the treaties with the Arapahoes and Cheyennes.

The last treaty of limits was concluded 28th October, 1867, ra July 25, 1868, and proclaimed 19th August, 1868. This treaty the definite boundaries of the Cheyenne and Arapahoe Reservati the area between the State of Kansas on the north and the Cimarro Arkansas Rivers on the east, south, and west, and was proclaimed than eleven months before the President fixed their location. b executive order, in a different part of the Indian Territory. Thus

lic agreement; and it is probable, from the statements of Indians who were examined as witnesses before the committee, that they were only affiliated with the Sioux through intermarriage.

On 28th February, 1877, by act of Congress, an agreement was ratified between the United States and all the Sioux tribes, and the Northern Cheyennes and Arapahoes were included in the agreement, and signed it, but not as bands or tribes of Sioux Indians. That agreement, as modified by amendments, was made to relate only to the reservation in Dakota Territory, and contains provisions for the permanent settlement of all the Indians named in it in the Sioux Reservation, with the right to allotment of lands in severalty, and to various other advantages in furtherance of their efforts to adopt the habits of civilized people.

This agreement is in harmony with the treaty made with the Northern Cheyennes and Arapahoes nine years before that time, the second article of which is as follows:

Treaty between the United States of America and the Northern Cheyenne and Northern Arapahoe tribes of Indians, concluded May 10, 1868; ratification advised July 25, 1868.

* * * * * * *

ARTICLE 2. The Indians, parties to this treaty, hereby agree to accept for their permanent home some portion of the tract of country set apart and designated as a permanent reservation for the Southern Cheyenne and Arapahoe Indians by a treaty entered into by and between them and the United States at Medicine Lodge Creek, on the — day of October, eighteen hundred and sixty-seven, or some portion of the country and reservation set apart and designated as a permanent home for the Brulé and other bands of Sioux Indians by a treaty entered into by and between said Indians and the United States at Fort Laramie, D. T., on the twenty-ninth day of April, eighteen hundred and sixty-eight. And the Northern Cheyenne and Arapahoe Indians do hereby relinquish, release, and surrender to the United States all right, claim, and interest in and to all territory outside the two reservations above mentioned, except the right to roam and hunt while game shall be found in sufficient quantities to justify the chase. And they do solemnly agree that they will not build any permanent homes outside of said reservations, and that within one year from this date they will attach themselves permanently either to the agency provided for near the mouth of Medicine Lodge Creek, or to the agency about to be established on the Missouri River near Fort Randall, or to the Crow Agency near Otter Creek on the Yellowstone River, provided for by treaty of the seventh day of May, eighteen hundred and sixty-eight, entered into by and between the United States and said Crow Indians at Fort Laramie, D. T.; and it is hereby expressly understood that one portion of said Indians may attach themselves to one of the aforementioned reservations and another portion to another of said reservations, as each part or portion of said Indians may elect.

This treaty and the subsequent agreement each secured to the Northern Cheyennes and Arapahoes the right to a permanent home with the Brulé and other bands of Sioux, and the act of Congress by which the agreement was amended and ratified requires the President "to prohibit the removal of any portion of the Sioux Indians to the Indian Territory until the same be authorized by act of Congress hereafter enacted."

In the report of the Commissioner of Indian Affairs of November 1, 1877, speaking of the removal of the Northern Cheyennes and Arapahoes, he says:

These Indians for several years past have been reported as receiving rations with the Sioux at Red Cloud Agency, but as "belonging" with their southern brethren in the Indian Territory, whom they could not be induced to join by any persuasion or command unsupported by force.

The same difference between the disposition of the two tribes has been shown during the Sioux war that was manifested in the Cheyenne and Arapahoe war of 1874 and 1875 in the Indian Territory. The whole body of the Cheyennes took prompt and active part in hostilities, while the Arapahoes, almost without exception, remained loyal to the government. After the surrender of the main portion of this tribe, the Cheyennes were suddenly seized by a desire to remove to the Indian Territory. This

unexpected announcement was followed by prompt action, and on the 28th of May last 937 Cheyennes left Red Cloud Agency under military escort, and after seventy days' journey reported at Fort Reno, and were turned over to the Cheyenne and Arapahoe agent.

In accordance with their earnest request made to the President during the recent visit of the delegation in this city, permission was given the Northern Arapahoes to join the Shoshones on the Wind River Reserve in Wyoming. In a formal council held last month by Agent Irwin with the Shoshones, their consent to the arrangement desired by the Arapahoes was obtained, and the removal of the latter is now in progress.

In the same report he says:

Experience has demonstrated the impolicy of sending northern Indians to the Indian Territory. To go no farther back than the date of the Pawnee removal, it will be seen that the effect of a radical change of climate is disastrous, as this tribe alone in the first two years, lost by death over 800 out of its number of 2,376. The Northern Cheyennes have suffered severely, and the Poncas, who were recently removed from contact with the unfriendly Sioux and arrived there in July last, have already lost 36 by death, which, by an ordinary computation, would be the death-rate for the entire tribe for a period of four years.

After such forcible statements of the difficulty of getting the Northern Cheyennes to remove to the Indian Territory, and of the impolicy of sending them to that country, it is a curious inquiry as to the cause of their sudden desire to remove to the Indian Territory, and of the activity of the government in aiding their removal.

The following extracts from the report of James Irwin, United States Indian agent of the Red Cloud Agency, show the condition of the Indians in August, 1877:

* * * * * * *

Owing to the disturbances that have lately occurred in this country, and the necessity for military interference, the occupation of the Black Hills country by miners, and the anticipated change of the location of their agency to the Missouri River, the Indians keep up a fever of excitement; but, notwithstanding, I find them generally disposed to be quiet and orderly, and whatever may have been their desires and hopes, and however great their final disappointment, they have accepted the situation with considerable grace, and express their determination to henceforth "travel the white man's road" (Crazy Horse is an exception, and will be mentioned hereafter); and should the new agency be fortunately situated in reference to agriculture and stock-raising, I believe a large number will try and do something for themselves. Many of them are now trying to cultivate patches of land along the little streams adjacent to the agency. Some of them have used their hands for shovels and hoes, and have shown them to me worn and bleeding. My acquaintance with them has been brief, and I find no records of the past in this office to assist me in making out the accompanying statistics and to furnish me other useful information.

* * * * * * *

If the people would reflect on the fact that the Sioux were a few years ago a powerful, independent, self-sustaining nation, and have been brought to poverty by the loss of their country and the destruction of their game, they would certainly have charity enough to be patient, if they knew the work of reconstruction was radical and certain, and a prospect of relief in the future.

* * * * * * *

All the other Sioux bands are doing well, and it seems hardly possible that they will ever take up arms again.

About 1,100 Arapahoes under Black Coal are attached to this agency, and are camped in the neighborhood; they are most thoroughly subjugated, peaceable and obedient to every order; they will submit to almost anything rather than go to their southern agency, believing they will all die in a few years in that miasmatic country.

The Northern Cheyenne Indians had been to some extent (probably the largest portion of them) participants in the war for independence waged by Sitting Bull in the year 1866–'67, and had suffered severe losses and punishment. Dull Knife's band, who were a warlike and intractable people, had also been engaged in severe conflicts with the Shoshones. It is not certain by any means that the larger part of the hostile Cheyennes who engaged in the war as followers of Sitting Bull

were not driven to it by mistaken and unprovoked attacks of the United States troops. However that may have been, they did not follow Sitting Bull into Canada, but, after Spotted Tail had visited them and carried to them friendly messages, they came in without compulsion and surrendered themselves.

Their apprehensions of danger from the Spotted Tail Sioux and from the Government of the United States and their averson to being removed to the Missouri River probably led the Northern Cheyennes to the sudden determination to remove to the Indian Territory. The treaty of 1868 and the agreement of 1877 had already provided for the terms upon which they were to remove. The Sioux commission made the agreement that was amended and ratified by Congress on 28th February, 1877, and the Northern Cheyennes were reassured by that agreement and came south.

They left the Red Cloud Agency on the 28th May, and on the 5th August, 1877, 937 of them arrived at Fort Reno in charge of Lieutenant Lawton, Fourth Cavalry.

Some of the Northern Cheyennes assert that Generals Crook and Mackenzie told them that it was the will of the government that they should remove to the Indian Territory, and they left Dakota reluctantly; that they also made representations in regard to the fertility of the country and its climate and the abundance of game, which proved to be untrue. If such representations were made it is likely that they only added to the willingness of the Cheyennes to leave the Sioux country, which they desired to leave because of the troubles into which they had fallen.

There is no satisfactory proof that the Indians were misled in any material respect with reference to the country, or that they had a promise of being allowed to return north. Little Chief and his band were under General Miles at Fort Keogh, and the warriors were engaged as scouts in his operations against the hostile Sioux and the Nez Percés, while Dull Knife and other chiefs were either in alliance with the bands under the leadership of Sitting Bull or were in camps remote from the Red Cloud Ageny and were in a doubtful attitude with reference to the United States in that war.

Little Chief and his band came to the Indian Territory a year later than the Dull Knife and other bands, and were coming south at the time that the latter were moving north in their desperate attempts to regain their native land.

In order to present fairly the case of Little Chief and his people, the committee extract from his testimony and from that of Ben Clark and General Miles the following statements:

BEN CLARK.

FORT RENO, IND. TER., *August* 21, 1879.

BEN CLARK sworn and examined.

By the CHAIRMAN:

Question. State what your employment has been for a number of years past.—Answer. I have been in government employ all the time since 1868.

Q. In what capacity?—A. As scout, guide, and interpreter; part of the time as a scout, part of the time as a guide, but the most of the time as an interpreter; sometimes all three.

Q. Did you come with one of these bands of Cheyennes from their northern home to this point?—A. I came with the Little Chief band of Northern Cheyennes from Dakota to this place.

By Mr. MORGAN:

Q. Did you know the Cheyenne Indians well, and were they acquainted with y and friendly toward you?—A. I was well known to them and knew them all; I w personally acquainted with the Southern Cheyennes for years before; the Northe Cheyennes I was not so well acquainted with, but I saw them occasionally and th all knew me by reputation.

Q. When you returned, you came down with Little Chief and his band?—A. Y sir.

Q. Were you with them when they had the interview with the officers which r sulted in their coming away?—A. I was with them when the interview with Gener Sheridan occurred. They had heard from General Miles that they were to come dow and he had sent them as far as Fort Abraham Lincoln, but with no definite orders. was ordered to go to Fort Abraham Lincoln and get some Indians that were there a take them to Chicago. From there they were to be brought down here to join t Southern Cheyennes—it having been decided by the government that all the Northe Cheyennes should join the Southern Cheyennes down in this country.

Q. What expression of feeling did they give upon learning of that decision?— They expressed themselves dissatisfied; they said they would much prefer to rema in the north, in the Yellowstone and Tongue River country; they said if they co be allowed to remain there they would be willing to do anything the governme would require of them; would scout for the government against its enemies, Indi or otherwise, or farm, or do anything else there; but they were very unwilling come here. Still, they did not say they would not come; they said they would co if they had to. They were told it was the intention of the government to send th down that fall by railroad and steamboat; it was now November. They begged to allowed to remain at Fort Lincoln until spring, and then be allowed to come down land on their ponies; if the government would issue rations, they would rather f nish their own transportation, and come in that way, as it would be pleasanter a healthier than to be carried on cars and steamboats. This request was granted. G eral Sheridan said he would send me to come down here with them; they had as for me to come down with them. When I went up there, in the latter part of the lowing April, I went for that purpose.

Q. You are well acquainted with Little Chief?—A. Yes, sir.

Q. He appears to be very much dissatisfied?—A. Yes, sir; very much. He d not talk like ever being satisfied, though he always says that he will not act as foo as Dull Knife did; still he may say so, thinking he may not have to do it. He pr ably thinks it is policy to say so. I will tell you what he did do on the way do A couple of exciting events occurred that the young men would as soon have fou about as to have given up to, but he was the main instrument in preserving pe At the disarming of the Indians at Sidney, and their partial dismounting at the No Fork of the Canadian by Clarence Mauck, they argued that they were very mu wronged, as these arms had been given them after the partial surrender of their ar and horses to General Miles, in the spring of 1875. After that surrender and disarmi and dismounting, they were armed and mounted again to serve as scouts, to rewa them for valuable and faithful services, and told that they could keep their arms an also keep their horses to travel down to the Indian Territory with. They said the never had done anything to forfeit the good will of the government, and they thoug that they ought to be allowed to retain their horses and arms as had been promise them.

Q. What number of Indians attach themselves now to Little Chief here, so far you know?—A. After his arrival here about twelve families left him—expressed then selves reconciled to remaining in this country, never expecting to go back north. A the rest remain with him, still hoping to go back north some time. Then there a some thirty other families, of the first band of Northern Cheyennes that came dow here, but who did not choose to break away with the rest.

Q. How many does that make under his leadership in all?—A. That makes abo sixty-odd lodges that are under his influence and acknowledge him as their leader.

Q. They look to a return north yet?—A. Yes, sir; and if they thought they cou go with the permission of the government, as near as I can understand, there wou at least ninety families go back; but after hearing the decision of the Secretary the Interior, a part of these families left Little Chief and gave up all hopes of bei allowed to go north.

Q. Let me ask you this question: The importance of the chiefs is diminished som what, is it not, by the mode of distributing rations here?—A. Yes, sir.

Q. Do you suppose that that probably has anything to do with Little Chief's po tion on this question? Do you suppose he would rather have about him a body Indians who would acknowledge him as their chief, and whom he could have mo completely under his control than can be the case here?—A. I do not think that h anything to do with his feelings in regard to going back north. He has had mo with him since he came than he had before the outbreak of 1878; long before he g

here and saw the country, before he ever started, he was always in hopes he would be allowed to go back.

Q. Did he claim that it had been promised him that in case this country did not suit him he would be allowed to return?—A. He claims that General Miles told him that. I was interpreter for General Sheridan, and Sheridan did not tell him that; he told him, on the contrary, that the government intended to move all the Northern Cheyennes here to stay, and make their home henceforth with the Southern Cheyennes.

Q. This interview with Sheridan was after their talk with Miles?—A. Yes, sir.

Q. State what promises General Sheridan did make them, if any.—A. As near as I can remember, he told them that this was a fine country for Indians; that there was still considerable game here; that they would be allowed to hunt; that the country was a large one, and one that they could promise more safely would always be set apart for the Indians, and would not be taken up by white men. Up north, he said, it was only a question of time when the whites would take the whole country away, as they had taken the Black Hills away. He said the government had decided that it was for the interest of the Cheyennes to remove. He said he liked the Cheyennes especially, and would like to do what would be best for them. They mentioned to General Sheridan about having these arms that General Miles had given them, and asked him whether they would be allowed to retain those arms. The general told them that when the arms had been given them with these promises they would be allowed to keep them. Then they mentioned the horses that General Miles had given them, and General Sheridan promised that they would be allowed to keep them also. They had a lot of other things which they had captured, which the general said should not be taken away from them.

By Mr. PLUMB:

Q. Captured by these Cheyennes, while in the service of the government, from hostile Indians?—A. So I understand. A part of them were what they had surrendered themselves, that afterwards were given back to them. Their arms were given back to them in order to rearm them to act as scouts for the government, but most, if not all, of those arms had been captured by them, while acting for the government, from the hostile Nez Percés and Sioux.

Q. After Little Chief came back from Washington, did you observe any change in the opinions or conduct of his people? Did they still talk and act as if they expected to go away, or did they appear to become more reconciled to their fate?—A. I observed that a portion of the Northern Cheyennes, when they found out what had been the decision of the government, talked and acted as if they had given up all idea of going back north. But Little Chief said before he got here that he had understood that an election took place every five years, when a new President was elected, and he said that he hoped under another administration his application might be more successful, and that he might be permitted to go back north. He asked me if this "Big Eyes"—that was what he called the Secretary of the Interior—would be changed, too, when the new administration came in. I told him I thought he would. He said he thought his chances would be better then; he said he thought it would be better to have a thorough change in the government and try a new party. That was actually an idea of his own—about there being more hopes for him under a new administration.

LITTLE CHIEF.

FORT RENO, IND. T., *August* 19, 1879.

Little Chief and Black Wolf appeared together before the committee, and after some conversation between them, the interpreter, and the committee, not exactly in the nature of an examination, Little Chief was examined as follows:

By the CHAIRMAN:

Question. Which do you like the best, the country down here or the country you came from?—Answer. I like best the country I came from.

Q. Why do you like that the best?—A. Because that is the land where I was born, the land that God gave us, and because it was better than this in every way; everything is better up there than here; the climate is better, the soil is better, the water is better.

By Mr. DAWES:

Q. What made you come down here?—A. We were first told by General Miles that the government wanted us to come down to this Territory; we did not want to come; he told us to come down here anyhow; he said a good many of our relatives were here, that had come down with the Dull Knife band; he said if we did not like the country we could get our relatives together who had come down ahead of us and go back north again; if we were not satisfied, he said, he would have it arranged so that we could go north again; there would not be much trouble in doing that, because, he

said, the government knew the valuable services we had rendered helping him (General Miles) in the Nez Percés campaign; also in capturing the Lame Deer Sioux village. We were with General Miles as scouts, and captured the Sioux herd and also the Nez Percés herd of horses. Some of the Cheyennes killed the chief of the Sioux village, Lame Deer, himself, and gave up the captured horses to General Miles. When we surrendered to General Miles we gave up all our horses and arms; afterward he gave us back some horses to scout for him—also some arms to scout with. Afterward, when we left there to come south, we were allowed to retain some horses and arms, on account of our services to the government. I supposed the government had heard everything about us, and the services we had rendered and our situation exactly. A party of us—myself and several others—were sent for by General Sheridan to go to Chicago; at Chicago we were told by General Sheridan that we would have to go south; we told him about these things, the horses and arms, being given to us, with a promise that they should not be taken away; General Sheridan said he knew of that, and it was all right. But when we came down here the arms and a part of the horses were taken away from us.

By Mr. PLUMB:

Q. What was done with the arms and the horses?—A. The arms are still here in the post, stored in the quartermaster's office; the horses were taken to Camp Supply and sold by order of the quartermaster.

By Mr. MORGAN:

Q. What was done with the proceeds?—A. I do not know. (Interpreter: "The proceeds were sent back and used for those Indians who gave up their horses." The witness continues by way of explanation:) We traveled down peaceably, without causing anybody any trouble; but after arriving at Sidney, where the Dull Knife band party were, we were told that we must surrender our arms, because they were afraid we would join the Dull Knife party. The arms were taken by order of General Crook. After taking them at Sidney they gave them back to us, with promises again that they would never be taken from us any more; but after getting down here they were taken from us and were never returned to us again.

Q. How long was it after Dull Knife's band came south before you came?—A. Two or three months.*

Q. Why did not your band come down with Dull Knife's?—A. We were several hundred miles from White River, where his band started from; we were at Fort Keogh, at the mouth of Tongue River, under General Miles, while the others were under General Crook.

Q. When Dull Knife and his party came, were you or any of your party in the service of the government as scouts?—A. All our young men were serving as scouts then for General Miles, carrying dispatches, &c. We were fighting the Nez Percés and the Sioux, with General Miles's troops, when the other band was coming down.

Q. Did your band ever, at any time, live with Dull Knife's band, or did your band always live in a tribe by themselves?—A. We lived with them at times, but not all the time. A great deal of the time we lived about the head of Tongue and Powder Rivers, though when in we went to the same agency with them.

Q. When you and your band arrived at Sidney did you not know that Dull Knife and his band had gone away?—A. It was at Lodgepole Creek, at Sidney, that we first heard the news.

Q. Did you hear it from the white people or from Indians?—A. We heard it from the whites; the news came up by the white people's mails.

Q. After you got down here, did you find it healthy or unhealthy?—A. After getting down here our band began to get sick; my son, a grown-up young man, was taken sick and died; it is not as healthy here as it is where we came from.

Q. What time of year did you get here?—A. In the winter—in December, I think; at least it was in the fore part of winter.

Q. What fort did you leave?—A. Fort Keogh, Montana Territory.

Q. How long were you on the way down?—A. About six months; we came by way of the Black Hills, Bear Buttes, Sidney, Wallace, and from there down by route the other party came. We did not expect to stay here; the only expectation had in coming down was that of finding our relatives here, and having them go back with us if they did not like it here, as we had been told we might do, both by General Miles and General Sheridan.

Q. How came you to expect to go back before you had been here to find out whether you would like it here or not?—A. We had heard that the other Indians had broke away and had gone north because they did not like it here.

Q. What post did you draw rations at?—A. At Fort Keogh; there was no agency

*This answer is a palpable error. The witness undoubtedly understood the question to be, "How long was it after Dull Knife's band went *north* before you came?" for an answer would be a correct one to that question.

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hope, when you gentlemen go there again, you will repeat to them what I have said, and that it may result in benefit to us.

By Mr. PLUMB:

Q. How has it been with regard to beef?—A. We were raised on beef—or buffalo meat, which is the same thing. We have been accustomed to eating a great deal of it; but since coming here we have never had enough of it to eat. It was bad enough when we had one beef to thirty or thirty-five Indians; now that we have only one beef to forty or forty-five, it is not near enough. That is all that is given us for a week, and it is eaten in three days, or two.

Q. Are not the beeves now issued larger than those formerly issued?—A. They tell us that the cattle we are getting now are larger than those we used to get before we went to Washington, but I cannot see that they are any heavier, and I am sure they are not in as good order.

Q. Has any clothing been issued to you?—A. There has been clothing issued, but was a very poor issue—a poorer one than we ever received before.

Q. Is less food issued to you now than used to be issued to you at Fort Keogh?—A. It does not compare with the amount of rations that were issued to us at Fort Keogh. We never went hungry any day there; here we get hungry two or three days every week. There we did not have canvas issued for our lodges, but we were allowed to go and hunt buffalo for skins for our lodges whenever we wanted to.

By Mr. PLUMB:

Q. Do you have no lodges here?—A. We have canvas lodges here, but no buffalo lodges. When we were allowed to go buffalo hunting from Fort Keogh a guard of troops, ten soldiers, was sent with us. We never made any trouble with the white people; we had plenty to eat. I was in good condition then; now, look and see how poor I am growing since I came down here.

Q. If you have planting and plowing and other work to do, after hunting gives out, in order to live, why not do it here as well as anywhere else?—A. Because that is a better country to live in for everything. If I had to plant or plow, or do anything, I would sooner do it up there than down here.

Q. Would you not feel less objection to staying here if the rest of the Cheyennes were down here?—A. I would much rather join them up there; the people up there are already opening up their farms, and have raised pretty good crops, and know how to do farm work, and would show us how; I would be willing to undertake it as soon as I got there.

By Mr. MORGAN:

Q. Is there more rainfall there than here?—A. It rains there much more frequently than here; the grass and vegetation never dries up in the hot, scorching sun as it does here. They never have any such droughts there as they have in this country.

Q. Would you not be afraid of going back there among the Sioux?—A. I would have no hesitation on account of the Sioux; I would be glad to go up there and live at Tongue River; I would be willing to serve a while in any wars against the Sioux; I am not afraid of the Sioux.

Q. Do all of your band feel as you do about this matter of staying here?—A. The hearts of all my people are just like mine; I speak the sentiments of all my people; we all would rather be among those mountains and streams where we were raised from the time we were old enough to remember anything than to stay in this country, and be compelled to stay here.

Q. Is your band on good terms with the Southern Cheyennes, as a band?—A. We do not get along very pleasantly with these other Indians; we do not fell good to be among them. I hear that the Indians that ran away from here, the Dull Knife band, did not agree with the Southern Cheyennes who were here before. There have been bad words between my band and the Southern Cheyennes. God never gave this southern country to the northern Indians; He never intended it for them to live in. The northern Indians can never be healthy here. Ever since I can remember the Southern Cheyennes have been here, and my people have been up north. We never expected to live with these Southern Cheyennes.

Q. Is that a mountainous and woody country, or is it a level country, like this?—A. There are a great many mountains there, but there are a great many very pretty valleys, and plenty of grass, that horses get fatter and stronger than they will on the grass here. That is a better country than this for stock.

Q. How about the winters there; are they very cold?—A. The winters are longer there, and the weather is colder and there is more snow; but that is what we are raised on and we like it; we were never sick there.

Q. Did you stay on the hills in the winter among the snow, or did you go down into the valleys?—A. We generally camp in the valleys of the Tongue River and the Powder River, in the timber. We never suffer from cold there at all in the winter.

re; we were held nominally as prisoners of war, and the rations we received were ted by the War Department to us as prisoners of war; in the beginning we got full lier rations; afterwards we received rations the same as the Indians at the agency, rations as prescribed by the Interior Department.

. From whom did you use to draw rations before you drew them at Fort Keogh?—Before we were taken to Fort Keogh—before the war broke out—we used to live h the Red Cloud Sioux.

. Did you not draw any rations from the government at all then?—A. When we e there they used to issue rations to us, but when we were out we had all the game wanted.

By the CHAIRMAN:

. Is there any game here?—A. There is not anything here to hunt; there is a great more game up north.

. If you have no game here, what do you want of arms?—A. We captured those s from the Nez Percés when they were fighting the government; we were told that ccount of the aid we had rendered the government against its enemies those guns ld be ours always; we worked for them; we risked our lives for them; they were nised to us, and we think we ought to have them.

. Would you not be as well satisfied to have the value of the arms in money, or hing, or something else you need?—A. We would rather have the guns than money nything else; this is not a good country to hunt in; there is not much game here, whatever is here we could get better if we had guns than we can without any, we should like to have the benefit of it; there are some turkeys and some antelope.

By Mr. PLUMB:

. What has been furnished you on account of the sale of your horses?—A. They k from us our horses, the best we had, and we received in return eleven dollars noney each; it was not much money, and we didn't care much about it; we don't e for money as we do for our horses; the land that God gave us, that we always ked on as our own, was full of money; there was plenty of gold in the ground, and eleven dollars that we got for our horses didn't amount to much.

. Was that all that was realized for the horses?—A. That was all *we* got; each lian received eleven dollars, regardless of what kind of a horse it was that he had; ink there is considerable money out somewhere; the horses must have sold for re than that; I think when they sold them they just gave us back whatever they fit; at least, that is the way it looked to us.

. How many horses did they leave you; enough for your own use?—A. I think ie families have two horses in the family and some have three. They are princi-ly the pair of Nez Percés horses given us after the capture of the Nez Percés' herd.

. What would you do if you were to go back to that upper country; how would live up there?—A. If we could go back north, we should expect to join Gen-l Miles's post, where we left forty lodges of our people, and where Little Wolf has e gone and joined them. If we could be allowed to go there, we would do any-ng the government would want us to; but we would like very much to be allowed nnt buffalo, as we were allowed before. General Miles allowed us to go on several falo hunts; but, if we could not hunt buffalo, we would still be glad to go and do thing the government would ask us to do. We have children up there and other tives, and we do not like to be separated from them. That country is our home, we do not feel happy to be kept so far away from it, and to think that we shall er see it any more.

. Why were not all the Cheyennes sent down here?—A. Part of them General s was allowed to retain, because they are still scouting for him. There are about ty men scouting for him, and on that account the families of these thirty men are wed to remain there. He wanted to keep all, but was not allowed to keep any but families of those he kept as scouts. Since then three of the young men who were ng as scouts have been killed, in the last fight with the Sioux. One of those young I knew very well.

Do you get enough to eat here?—A. We came here last winter, and there has not an issue of rations at any time yet when we have had enough to eat. The sugar never been over a handful for a week, and much of the time there has been none at

How has it been with regard to the beef and flour?—A. Where there are ten lies together, they get only about a peck of flour for a week.

By Mr. MORGAN:

Has not corn-meal been issued?—A. They have been issuing, in place of flour, yellow corn-meal; but corn-meal never did agree with Indians; it stirs up their els and makes them sick. I do not think it was ever intended for Indians to eat. ve been to Washington, and said to them there what I have told you now. I

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By Mr. DAWES:

Q. Are you and your band on good terms with Standing Elk and his band?—A. We do not mingle together pleasantly with that band; my people all want to go back to their native country, while that people have thrown that country away and decided to stay down here.

Q. Does Standing Elk and his band fare any better down here than you and your band?—A. There is no difference in the issue between the two bands; the Northern Cheyennes, the Southern Cheyennes, and the Arapahoes all fare alike.

Q. What makes Standing Elk and his band prefer to stay here while you and your band want to go away?—A. The people of his band have always had some relatives down here among these Southern Cheyennes. They had been thinking of coming here a long time before they did; they were predisposed in favor of this country.

By Mr. MORGAN:

Q. Are any of your band engaged in agriculture?—A. Three or four families of the band that came down here with me have begun to farm; those do not want to go back now.

Q. Then all your band do not want to go back north?—A. No; when I said that all my people wanted to go back north, I did not mean to speak of those who were engaged in farming.

Q. Are there any wagons in your band?—A. No, sir; none of them have received any wagons.

Q. Have they not received any agricultural implements?—A. They have not received anything in the agricultural line at all. I told the Secretary of the Interior, when I was in Washington, that I did not want to receive any of these things here, because I hoped some time to go back north, and then I would be glad to receive them here. I was also granted another request that I made; that was, that my band, the people under me, would not have to give their children up to go to school unless they wanted to.

Q. Why did you not want your children to be sent to school and educated?—A. Because I love my children, and do not want to see them made slaves of like many children over there, who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of War for not wanting to receive any wagons was because I had no horses to work them, and there have been no horses issued to me yet.

Q. Are the women of the tribe bearing children here? Is the tribe increasing or diminishing?—A. A great many children have been born. I do not know whether more have been born than died or not. A great many have been sick; some have died, and some have got well. I have been sick a great deal of the time since I have been down here—homesick and heartsick, and sick in every way. I have been thinking of my native country and the good home I had up there, where I never was hungry, but when I wanted anything to eat could go out and hunt the buffalo. It makes me feel sick when I think about that, and I cannot help thinking about that. I like the white people up there better than I do the white people down here, too. I can get along with the white people up there; they appear more sensible people than the people down here. Every body knows us up there, and everybody treats us like brothers. I served with the soldiers up there, and they all knew me and treated me well. I can get along there much more pleasantly than here. For my part, I was never raised to be dependent on an agency at all; I was used to living by hunting all the time. It does not make me feel good to hang about an agency and have to ask a white man for something to eat when I get hungry.

By the CHAIRMAN:

Q. Is there anything more you would like to say before the examination closes?—I am glad you have come from Washington to talk with us. I hope that what you hear here you will carry to Washington and intercede for us there, that we may go back to the country God gave us in the North. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in. The interpreter here has traveled the way down here with me from the Missouri River. He knows how I have behaved on the long trip, under very trying circumstances. We had our horses taken from us, and our arms taken from us after we had been promised that we might keep them on account of our services to the government; but we obeyed without making any trouble, and now I hope you will take pity on us, and do all you can for us.

Q. Is that all?—A. (After consultation with his companions.) One thing I would like to ask: I represent one northern band, and my companion here represents another band. We think our people would be very much pleased if you could have issued to us about three steers, so that they could have a feast while you are here.

The CHAIRMAN explained that the committee had no authority to order the issuing of anything.

N. A. MILES.

WASHINGTON, D. C., *April* 26, 1880.

General N. A. Miles sworn and examined.

By the CHAIRMAN:

Question. Please look at the testimony of Little Chief, on page forty-seven of the pamphlet containing the printed testimony taken in relation to the removal of the Northern Cheyenne Indians, and say whatever you may desire in regard to the statements made by Little Chief.—Answer. The history of that matter, ar nearly as I can remember, is this: Those Indians—Little Chief's band of the Northern Cheyennes—surrendered to me in the spring of 1877. They were given their choice—to surrender there, as prisoners of war, or to go to their agency and surrender at the agency. They were told that as long as they remained there and behaved themselves they would be well treated; and what disposition would be afterward made of them would depend entirely upon the authorities at Washington. They remained there during that spring and summer. I used a few of them—three of them, I think—as guides; their knowledge of that country was very valuable to me at that time. I found that they rendered me good service.

Later in the fall, when I made a campaign after the Nez Percés, I took thirty of them along as scouts. They made excellent scouts, and rendered very good service. Two of them were wounded in that fight. In the mean time, after their surrender, I took away the most of their war ponies and sold them, and bought cattle with them. I required them to surrender their arms. Occasionally I would allow a party of them to go out to hunt buffalo; and when it was necessary I would loan them the few arms required. I sent them out in charge of an officer or sergeant, and a squad of men.

In the engagement with the Nez Percés we captured a large number of horses, ponies, and mules—about eight hundred altogether. I gave the men that were engaged in that fight about five ponies apiece, I think, as a reward for their services.

After we came back to the Yellowstone, and had remined there a short time, I received an order to send the Nez Percés to Fort Lincoln; also to send all the Indians at Fort Keogh to Fort Lincoln. This included Little Chief's band. I afterward got permission to retain about thirty families, as I needed them for scouts and guides. The Indians took the order to go to Fort Lincoln very hard; they were very much opposed to being sent away from that country. They pleaded for a week to remain, during which time the command was getting ready to escort them.

Q. Where is Fort Lincoln?—A. About three hundred miles east of Fort Keogh, Montana, where they were; it is at the terminus of the Northern Pacific Railroad. The order to remove them was peremptory, and had to be complied with. I informed them that they had better go peaceably, because I had no discretion in the matter. They remained there the remainder of the autumn and winter.

Q. At Fort Lincoln?—A. Yes, sir; at Fort Lincoln. In the spring Little Chief got permission to come up to Fort Keogh to see some of his relatives and friends that remained there; he had been in the mean time informed that he must go down to the Indian Territory. He came to see me and inquired of me whether there was not some way in which he could remain in the northern country. I told him that he must comply with the order, whatever it was; that he had better make no resistance, but go peaceably and keep his band together—not allowing them to commit any depredations or to break away. By doing so, I told him, he would at least earn the good will of the authorities; and then any request that he might make would be received with more consideration than if he should attempt to resist, or if any of his people should break away. I told him I believed that the authorities would consider the fact that they had behaved well, and that some of them had rendered good service in the campaign against the Nez Percés. Besides I told him he might not find the Indian Territory so disagreeable as he feared it would be; it would do no harm, at least, for him to go down there and try it, and he might like the country better than he thought he would. I finally told him that if he found that he could not live there, if he found that it was a country unsuited to him and to his people, the best thing he could do would be to ask to be allowed to return to the North. That is the only difference that I see between his statement and my recollection of the conversation that occurred between us on that subject. He states that I informed him that he could go back north. My statement is that if he found that he could not live there, the best thing he could do would be to *ask* the President to allow him to go back. I, of course, had no authority to tell him that he could go back; no subordinate officer had.

As to the arms that he speaks of, I do not know that they had any arms when they left Fort Keogh; I do not think they had; they had a few ponies that I had allowed them to retain, of no particular value to any one but themselves; also those that I gave them after the herd was captured from the Nez Percés. A portion of the money that was received from the sale of ponies that Little Chief's band surrendered was

held for them, I think, for nearly two years. I wrote several communications about it, and requested the authorities to direct me to send it to some officer in the Indian Territory, in order that it might be expended for cattle. A portion of the money that belonged to the band that remained on the Yellowstone was expended for a herd of cattle, which they have now.

I will add that I at the time regarded the order sending these Indians down to the Indian Territory as unfortunate and the movement unwise. Those of the same tribe that remained north have for more than two years supported themselves, without receiving any aid from the government except what they earned. And a more contented, loyal band of people cannot be found in the United States.

Q. Where are they now?—A. At Fort Keogh, Montana.

Q. Where is that?—A. On the Yellowstone River, near the center of Montana.

Q. What are they doing?—A. They are taking care of their cattle, cultivating fields of corn, raising vegetables of every kind that they require. A few of them are employed as scouts and guides. And then occasionally they are allowed to go out and hunt buffalo, and gather meat enough to keep them in food. When they first came in they were in a very destitute condition; now they are as comfortably fixed as any Indians that I know of.

Q. Do they cultivate the ground by their own labor?—A. Yes, sir.

Q. To what extent and with what success?—A. The small band of Indians there have raised more out of the ground, according to the reports that I have received, than the Indians at Spotted Tail and Red Cloud Agencies, where the government has been spending millions of dollars.

By Mr. DAWES:

Q. What is the number of these Indians of whom you are now speaking?—A. About four hundred.

Q. They are a part of the Northern Cheyennes?—A. Yes, sir; a part of the tribe that surrendered when Little Chief's band surrendered.

Q. They never went down to the Indian Territory?—A. No, sir; and for more than a year I have had Little Wolf's band, who did go down to the Indian Territory, but ran away and went through Kansas and Nebraska and committed so many depredations and made so much trouble. They have been there for about a year and a half. They are doing the same as the others.

Q. How many are there of them?—A. About thirty men, besides the women and children.

Q. Do they seem to be satisfied and contented there?—A. Perfectly contented and perfectly well satisfied. They say they would rather die than to be sent back to the Indian Territory. After they were disarmed something was said about their going back to the Indian Territory, and they said they would rather die where they were; that we might commence killing them at once.

By the CHAIRMAN:

Q. Do they understand that they live under the constant liability of being sent back there if they do not behave well?—A. Yes, sir.

Q. Do you think that has any restraining influence on them?—A. I do not think it has.

Q. You think that they behave themselves well because they are contented?—A. Yes, sir; because they are living in a country that is suited to them. They say that they tried to live in the Indian Territory as long as they could, but that they were sick all the time, and that many of them perished from sickness. They buried fifty of their people, and made up their minds that they had all got to die if they remained there. So they broke away, saying that they might as well die by the bullets of United States soldiers on the road as to die there.

Q. Have they a reservation of their own where they are now?—A. No, sir; they have no reservation. But recently I made a recommendation for them to be attached to the Assinaboine Agency, on the Missouri River, and it has been granted.

Q. Is the country where they are located one that will probably be desired by the whites eventually?—A. Well, yes; the same as every other spot of ground that I know of belonging to the Indians in the United States.

Q. It is an agricultural country?—A. Yes, sir.

Q. Are the buffalo disappearing from that part of the country?—A. Yes, sir; but before the buffalo are gone, their cattle will increase in sufficient numbers to support them.

Q. Do they take good care of their cattle?—A. Yes, sir; they take the same interest in them and take as good care of them as of their ponies.

Q. Please explain about the cattle—how they came by them, how they keep them, whether in severalty or in a herd belonging to the band in common.—A. The cattle were bought with the money received by the sale of the surrendered ponies, as I have already mentioned. I sent an officer with a few men, a small party of Indians, to

Western Montana, and there they have bought about a hundred head. These cattle were divided and branded and given to the Indians by families. They were branded so that each would know his own stock. Since that time the herd has increased, and the Indians take as much interest in them as they do in their ponies, their clothing, or their lodges.

Q. Each family owns its own cattle and its own horses?—A. Yes, sir; and the ground is divided off into sections or lots and allotted to each family. I detailed a soldier—a farmer boy from Illinois—to superintend and take charge of that work.

General Miles speaks of the surrender of Little Chief and his band to him in the spring of 1877 as prisoners of war, and so General Crook and General Mackenzie speak of the surrender of the Northern Cheyennes at Camp Robinson. This was only a nominal capture, and the Indians were treated as prisoners of war because the Army could not hold or provide for them in any other character. They were treated as prisoners of war, but those at Camp Robinson were given the option to go with the Sioux who were ordered to the Missouri River, or to the Indian Territory. They chose the latter alternative, but accepted it with great reluctance, preferring to remain in the Sioux country. Cheyenne Indians had been running to and from the Indian Territory, and had formed a bad opinion of the country as being unhealthful and destitute of game.

It does not appear where Little Chief was on the 28th of February, 1877, when the agreement with the Sioux and the Northern Cheyennes and Arapahoes was ratified by Congress, nor does it appear that his band ever consented to that agreement.

The transfer of the Northern Cheyennes to the Indian Territory was attended with much fatal sickness. It is the same story that has been repeated in a dreadful fatality in every case where Indians from a northern climate have been removed to the Indian Territory. Those who came in 1878 suffered as severely as those who came in 1877, notwithstanding the better provision that had been made in the way of medical supplies and ratious in the later period. It was the change of climate and water that rendered the sickness so universal and so fatal. Both in 1877 and in 1878 the government had failed to provide a sufficient supply of medicines. Where the fault rests is not a matter of so much consequence as that it existed. The results were the total dissatisfaction of the immigrants with the country and with the government. This was neither an unreasonable nor an unjust dissatisfaction.

In 1876–'7 the supply of rations was short. Nine months' supply of food was provided for twelve months' sustentation. The government expected the Indians to eke out this allowance by hunting buffalo. The Indians belonging to the hunting parties supported life by the chase from November, 1876, to March, 1877, but horse thieves robbed them of many of their horses. The supply of rations was short in 1877–'78, wanting from one-fourth to one-third of the treaty allowance. This was doubtless the result of a miscalculation, based on the supposed ability of the Indians still to provide for the deficiency by hunting, and much of the food was of very poor quality.

"About the 15th of November, 1877 the majority of the Indians (the whole number being 5,054) left the agency on the usual annual hunt." This hunt was almost an entire failure; but few buffalo were found, and the Indians were compelled to subsist on their horses. Relief parties were sent out for them, who brought them into the agency in a starving condition. The few robes they had taken enabled them to purchase some food, but the rations due them while on the hunt were never furnished. The food supply for 1878–'79 was more abundant, but was never up to the treaty stipulations, and the issues were irregular and unequal.

gust, 1878, the sanitary condition of the Indians is thus described
ent Miles, in his report to the Commissioner of Indian Affairs:

ntense heat of the present summer has had the effect to increase the mortality,
s no exaggerated estimate when the number of sick people on the reservation
d at 2,000. Many deaths have occurred which might have been obviated had
een a proper supply of anti-malarial remedies at hand. Ninety-five ounces of
were received in advance of the annual supply and was consumed in less than
s. The success of the agency physician has been gratifying, and the only cause
ccess has been due to the lack of medicines. Hundreds applying for treatment
en refused medicine, and the result has been a resort to their native medicine
perpetuation of their superstitious rites.

picture of the distress of the Indians from sickness is not up to
ality. One physician to two thousand sick Indians camped at
distant from each other, with no proper medicines for their relief,
nadequate a supply that it can only be characterized as inhuman,
ally when the Indians were afflicted with diseases that had never
appeared amongst them, and were exposed to the hot sun of the
rn prairies without any shelter except their canvas tents. The
ian could not speak their language, and they had little or no in-
ion in nursing the sick, and could not properly administer the few
ines furnished them.

agent and the physician did all in their power by the use of mails
elegraph to relieve against this suffering, but their requisitions
reated with neglect and indifference.

Commissioner of Indian Affairs, in his report of November 1,
speaking of what he calls the "Northern Cheyenne raid," says:

ne 9th of September of the present year, a party of about 300, under Chief Dull
including 87 warriors in all, started out from the agency with the determina-
return northward and join their old friends, the Sioux.
agent states that they have never been satisfied since they arrived at the
; that the Dull Knife band were displeased with the system of issuing rations
s of families and individual Indians, and that the soldier element of the tribe
first compelled their women to place in one pile the supplies which had been
them, and having taken to themselves the lion's share, left the rest to be
l as they saw fit. He states that they have always been defiant, claimed that
d not enter into the agreement of September 26, 1876, and said that they would
at the agency as long as they chose, and no longer; that they have been a
rawback to the advancement of the rest of his Indians, and have displeased
f the Northern Cheyennes who still remain at the agency. He denies *in toto*
tements which have been made, that for lack of provisions they have been
to eat diseased meat, and affirms that there was really no good cause for dis-
tion on their part. As it has been charged that they were dissatisfied, and
agency on account of scant rations and to avoid imminent starvation, a few
ncerning the subsistence supplies which have been furnished them will not be

s part of the Commissioners statement, viz, "He denies *in toto*
atements which have been made, that for lack of provisions they
been obliged to eat diseased meat, and affirming that there was
no good cause for dissatisfaction on their part," is not supported
by the annual report of Agent Miles or his testimony. To the
se, he testified before the committee as follows:

By Mr. MORGAN:

When did you first come this agency as Indian agent?—A. I think I took charge
agency on the 1st of June, 1872.
t that time you took the Southern Cheyennes and Arapahoes under your
?—A. Yes, sir.
understood you to say awhile ago that, during all the time the Indians have
ere, they have complained that their rations have been insufficient?—A. They
very frequently.
n making up your estimate for rations to be provided for the Indians, do you
te for the full fiscal year, or for so many months?—A. For the full fiscal year.
'or full rations according to law?—A. For the established rations.

Q. Were those rations supplied to you by the government?—A. No, sir.

Q. Why were they withheld?—A. I have always understood it was on account of the funds being exhausted.

Q. How many months in each year have they been withheld, taking the whole time; about what percentage of rations has been withheld?—A. Take a year, or two or three years, and I could give you just what it was; but it would be mere guess-work to say what per cent.

Q. Would the shortage amount to as much as three months in each year?—A. Yes, sir.

Q. How has that deficiency been supplied, if it all?—A. Usually, by these Indians being absent; it has run from three to five months. When the buffalo were here I sent the Indians out on a hunt, and what buffalo they brought in would partly bridge over the deficiency. The sale of their robes would also help them out. For three years before this the deficiency was bridged over by dressing hides for the traders.

Q. In other words, the Indians, by their personal labor and by hunting, would eke out the shortness of their allowance when the government failed to provide full rations?—A. Yes, sir.

Q. Has there been any difficulty during that time to get contracts to furnish supplies of meat, flour, corn, bacon, &c., if the funds had been on hand for the purpose of buying?—A. I think not.

Q. The supplies were within reach if you had had the means to purchase?—A. Yes, sir. We do not purchase the supplies, however; we merely estimate the amounts needed of the several articles, and they are supplied to us by the Commissioner of Indian Affairs.

Q. Is there any longer any reliance to be placed upon buffalo as a source of supply?—A. I do not think there is.

Q. How long since the Indians could have supported themselves, or supplied themselves with food by hunting the buffalo?—A. Three years; for the past three years, taking into account the wear and tear of their lodges, the loss of camp equipage, and of ponies, they have come back worse than they went out. They have lived, and that is about all.

Q. Has it been the policy, when the supply runs out, to send Indians on a buffalo hunt, or has it been the policy to try to distribute the allowance for nine months over the whole period of twelve?—A. I think I have made use of both means.

Q. You have held back the rations?—A. No, not held them back; that is, not withheld them entirely. I have distributed them so as to let them run as far through the fiscal year as possible when we were short of supplies at the agency.

Q. But the Indians have never, in fact, received more than nine months' rations out of the twelve?—A. I think not.

In several other important particulars, such as the distribution of annuity goods, money, cattle, farming utensils, &c., and in building houses for the chiefs, and in placing the Indians on different lands from those granted them in the treaties, the government had not complied with its treaty obligations towards the Cheyenne and Arapahoe Indians.

It is impossible to say that these were or were not the causes that led three hundred Indians in a body to escape from the Territory and to return to Dakota. They were doubtless provoking causes to that hegira, but the Indians were also strongly impelled by a longing desire to return to their native country, and by a feeling of disgust towards their new location. It is, however, proper to say here that the three hundred Indians who thus escaped comprised only about one-third of the band of Northern Cheyennes who first went to the Indian Territory, and that while the one-third who escaped were, from their first arrival, discontented, the other two-thirds were, from their first arrival, and have ever since been, content with their present location. The same facts exist as to the second band of Northern Cheyennes of which Little Chief's band is a part. A portion of them are well contented, and a portion under Little Chief were from the first, and are yet, discontented and will probably remain so. Truth and justice require that it should be said that these Indians did not leave the Indian Territory on a maraud, but only with the intention of escaping to their former home.

They went away prepared to fight, but they did not fight until the United States troops attacked them. Then they fought with despera-

tion and success. They had their families with them. When their flight was thus converted into a running fight, they displayed all the fiendish cruelty of Indian warfare, and murdered the peaceful inhabitants of Kansas to the number of over forty men, women, and children, and outraged some ten or more women. They stole horses and cattle and other property from the people as they passed through Kansas.

While nothing could justify or excuse such atrocities, they have been so frequently the result of Indian outbreaks that they are expected by the people and the government. They have grown to be a part of the historical results of our Indian policy. The government, either from a conciousness of its bad faith in keeping treaty obligations with the Indians, or from an indecisive policy in subjecting them to punishment for their crimes through the civil tribunals of the United States, has permitted the savage murders and rapine of the Indians to be classed as acts of war, and have allowed the perpetrators to share the impunity accorded to such acts in times of public war, until it has become a saying amongst them that the worst Indians receive the best treatment. Six of the leaders of this band of 300 savages were arrested and turned over to the civil authorities of the State of Kansas, but for some cause a *nolle prosequi* was entered in the cases of the indictments against them, and they were released. The punishment inflicted upon others of them by the military authorities at Camp Robinson, after they had surrendered, is described as follows by the Commissioner of Indian Affairs in his report of November 1, 1879:

THE REMNANT OF DULL KNIFE'S BAND.

In the last annual report of this bureau mention was made of the desertion of a party of about three hundred Northern Cheyennes, under Dull Knife, from the Cheyenne and Arapahoe Reservation in the Indian Territory, in September, 1878, and of the fact that on their way through Kansas they murdered more than forty men, women, and children, and committed other outrages. At the date of said report the portion of those Cheyennes who had surrendered to the military were held as prisoners at Camp Robinson, Nebr., and the War Department had been requested to send them to Fort Wallace, Kans., in order that the civil authorities of that State might identify and properly punish the parties guilty of crimes committed in the raid through Kansas.

The headmen of the Cheyennes then in confinement at Fort Robinson were notified by the military on the 3d of January that the authorities in Washington had decided to send them back south. On the next day, after consultation with the rest of the captives, Wild Hog, as spokesman, gave an unequivocal negative to the proposition, declaring their intention to die before complying with the order. The prisoners numbered at this time forty-nine men, fifty-one women, and forty-eight children. *It was then attempted to starve and freeze these captives into submission, and for five days they were deprived of food and fuel, and for three days of water also.* This experiment proving ineffectual, on the 9th of January it was decided to arrest Wild Hog as the leader of the opposition. He was with difficulty *induced to come out of the prison*, and after a struggle, in which a soldier was stabbed, he was ironed. Upon this the Indians in the prison barricaded the doors, covered the windows with cloth to conceal their movements, tore up the floor, and constructed rifle-pits to command all the windows.

As early as November 1, 1878, Red Cloud had requested that their knives be taken from these prisoners to prevent them from taking their own lives in case they should be ordered South. This, however, appears not to have been done, neither had they been wholly disarmed, for they were the possessors of at least fifteen guns (in addition to the two obtained from the dead sentinels) and some revolvers, and were well supplied with knives.

About 10 o'clock on the night of January 9 the Indians commenced firing upon the sentinels, killing two and wounding a corporal in the guard-room, and made their escape through the windows, the women being driven in front of the men in their flight. They were pursued by the troops, and most of their number were eventually killed. The survivors were taken to Kansas for the identification of those who had been accused of murder and outrage, and Wild Hog and six others were indicted in the courts of that State. When the case was called, a *nolle prosequi* was entered, thereby dismissing the case; the prisoners were set at liberty, and they accompanied their agent to the Indian Territory.

The statements of Wild Hog and Crow in relation to this affair are more in detail than that of the Commissioner, and contradict his statement in some particulars. They were more than three hundred miles apart when they were examined and had no means of communication. In the main facts they agree with the Commissioner, viz, that the refugees had surrendered and were under guard in the soldiers' barracks at Fort Robinson; that they were extremely averse to going back to the Territory; that it was midwinter, and they were thinly clad; that their consent to immediate removal was demanded; that the requirement was not complied with; that it was determined to starve and freeze them into submission; that men, women, and children were accordingly starved for five days [the Indians say that it was six or seven days], during which time they were allowed no food, and for three days no water, and no wood for fires; that their chiefs, Wild Hog and Crow, were enticed into the quarters of the commanding officer of the fort, on a pretense of having a talk with them; that they were seized and shackled; that Wild Hog, in an attempt to take his own life, wounded one or more of the soldiers around him with his knife; that during the night of that day, the 9th of January, 1879, the Indians in the barracks broke through the guards, killing two of them, and made an attempt to reach the hills; that men, women, and children were killed, until only a few remained alive. There were 49 men, 51 women, and 48 children in all; Wild Hog says that Dull Knife escaped, and that these six men (then sitting near him), and Old Crow and Dull Knife are all the men that remain of that band, which numbered a hundred and fifty-five when they surrendered; but he says there are fifty women and children left up north, besides some women and children that were sent below. Old Crow says that he saw twenty-two women and children who were killed at Camp Robinson; so that about one hundred Indians were killed. The massacre was in every sense discreditable, and was without justification, except that it resulted from orders given at a great distance from the scene of action, and the orders were imperative that the Indians should be then removed. The weather was then of extreme severity.

The process of starving and freezing women and children, *in order to compel men into obedience*, is not justifiable in the eyes of civilized men. The outbreak was a most daring and desperate choice of alternatives, which the Indians expressed in the following language: "We have got to die, but we will not die here like dogs; we will die on the prairie; we will die fighting." It is not intended to assert that the killing of the Indian women and children by our soldiers was wanton or intentional. From the Indian mode of dress it is very difficult to distinguish women from men, as they all dress substantially alike. In their escape from Camp Robinson, the fleeing Indians in the night-time were all together—men, women, and children—making it impossible to distinguish them. The men were armed, and were firing upon the soldiers, and the soldiers had the alternative of permitting their escape without effort to prevent it or to return and keep up the fire upon them. In this way it happened that the women and children were killed. Women and children, along with the men, were starved and frozen until they sought relief in escaping from prison at the risk of almost certain death, and we cannot, under the circumstances, justify their slaughter, even if it was at the moment necessary to prevent their escape. Little Wolf and Dull Knife remained in Dakota, and their condition there is fully described by General Miles in his testimony above quoted.

The condition of the Cheyennes and Arapahoes who were raised in the south is by no means so good either in respect of their contentment

or prosperity as is that of the Cheyennes who are still in the north, as described by General Miles; while the condition of those who emigrated to the Indian Territory from Dakota is far worse in every particular. Some of them have the sort of contentment that results from apathy and indifference to suffering when all hope of change for the better is extinguished, while others, like Little Chief's followers, are constantly laboring under the sense of being unjustly treated, and are morose and sullen. It is not to be reasonably expected that this dissatisfaction will ever be entirely removed as to the adult Indians of this band, while they feel that they have been unjustly banished from their native land. The government must choose the alternative of forcing them to submit to a life-long imprisonment, under which they will resent and resist all efforts to civilize them, or else allow them to return North and unite with their kindred there in their voluntary and successful efforts to become self-supporting, and share in their contentment. The feelings of these Indians in reference to their banishment from their native country are best expressed in their own graphic and earnest language, taken from the record of their examination before the committee. Wild Hog speaks as follows:

Q. How many children got sick and died?—A. Between the fall of 1877 and the fall of 1878 we lost fifty children by sickness.

Q. What else, if anything, occurred to make you dissatisfied with that country?—A. We could not forget our native country anyway—wherr we grew up from childhood, and knew all the hills and valleys and creeks and places we had hunted over; where the climate was cooler, the air purer and healthier, the water sweeter and better, than in the southern country to which we had been sent by the government; and finding that the promises which had been made to us by the government were not fullfilled, that instead of being better than the land we had left, everything was so much worse, we got homesick for our own country again.

Wild Hog's wife says, in answer to the question:

Q. Is there anything you would like to say to the committee?—A. I have felt good that you have come and have sent for me, and have talked with me. I wish you would do what you can to get my husband released; I should like very much to have him released, as I am very poor here and do not know what is to become of me. If he were released, he would come down here and we would live together quietly and do no harm to anybody and make no trouble. But I never should get over my desire to get back north; I should always want to get back where my children were born and died and were buried; for that country is better than this in every respect.

Little Chief says, in answer to questions put to him:

Q. What would you do if you were to go back to that upper country—how would you live up there?—A. If we could go back north, we should expect to join General Miles's post, where we left forty lodges of our people, and where Little Wolf has since gone and joined them. If we could be allowed to go there, we would do anything the government would want us to; but we would like very much to be allowed to hunt buffalo, as we were allowed before. General Miles allowed us to go on several buffalo hunts; but, if we could not hunt buffalo, we would still be glad to go, and do anything the government would ask us to. We have children up there, and other relatives, and we do not like to be separated from them. That country is our home, and we do not feel happy to be kept so far away from it, and to think that we shall never see it any more.

Q. Do you have no lodges here?—A. We have canvas lodges here, but no buffalo lodges. When we were allowed to go buffalo-hunting from Fort Keogh a guard of troops, ten soldiers, was sent with us. We never made any trouble with the white people; we had plenty to eat. I was in good condition then; now, look, and see how poor I am growing since I came down here.

Q. If you have planting and plowing and other work to do, after hunting gives out, in order to live, why not do it here as well as anywhere else?—A. Because that is a better country to live in for everything. If I had to plant or plow, or do anything, I would sooner do it up there than down here.

Q. Would you not feel less objection to staying here if the rest of the Cheyennes were down here?—A. I would much rather join them up there; the people up there are already opening up their farms, and have raised pretty good crops, and know how to do farm work, and would show us how; I would be willing to undertake it as soon as I got there.

By Mr. MORGAN:

Q. Is there more rainfall there than here?—A. It rains there much more frequently than here; the grass and vegetation never dries up in the hot, scorching sun as it does here. They never have any such droughts there as they have in this country.

Q. Would you not be afraid of going back there among the Sioux?—A. I would have no hesitation on account of the Sioux; I would be glad to go up there and live at Tongue River; I would be willing to serve a while in any wars against the Sioux; I am not afraid of the Sioux.

Q. Do all of your band feel as you do about this matter of staying here?—A. The hearts of all my people are just like mine; I speak the sentiments of all my people; we all would rather be among those mountains and streams where we were raised from the time we were old enough to remember anything, than to stay in this country and be compelled to stay here.

Q. Is your band on good terms with the Southern Cheyennes, as a band?—A. We do not get along very pleasantly with these other Indians; we do not feel good to be among them. I hear that the Indians that ran away from here, the Dull Knife band, did not agree with the Southern Cheyennes who were here before. There have been bad words between my band and the Southern Cheyennes. God never gave this southern country to the northern Indians; He never intended it for them to live in. The northern Indians can never be healthy here. Ever since I can remember the Southern Cheyennes have been here, and my people have been up north. We never expected to live with these Southern Cheyennes.

Q. Is that a mountainous and woody country, or is it a level country like this?—A. There are a great many mountains there, but there are a great many very pretty valleys and plenty of grass, that horses get fatter and stronger on than they will on the grass here. That is a better country than this for stock.

Q. How about the winters there; are they very cold?—A. The winters are longer there, and the weather is colder and there is more snow; but that is what we are raised on and we like it; we were never sick there.

Q. Did you stay on the hills in the winter, among the snow, or did you go down into the valleys?—A. We generally camp in the valleys of the Tongue River and the Powder River, in the timber. We never suffer from cold there, at all, in the winter.

Q. Why did you not want your children to be sent to school and educated?—A. Because I love my children and do not want to see them made slaves of, like many children over there, who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of War for not wanting to receive any wagons was because I had no horses to work them, and there have been no horses issued to me yet.

Q. Are the women of the tribe bearing children here? Is the tribe increasing or diminishing?—A. A great many children have been born. I do not know whether more have been born than died or not. A great many have been sick; some have died, and some have got well. I have been sick a great deal of the time since I have been down here—homesick and heartsick, and sick in every way. I have been thinking of my native country and the good home I had up there, where I never was hungry, but when I wanted anything to eat could go out and hunt the buffalo. It makes me feel sick when I think about that, and I cannot help thinking about that. I like the white people up there better than I do the white people down here, too. I can get along with the white people up there; they appear more sensible people than the people down here. Everybody knows us up there, and everybody treats us like brothers. I served with the soldiers up there, and they all knew me and treated me well. I can get along there much more pleasantly than here. For my part, I was never raised to be dependent on an agency at all; I was used to living by hunting all the time. It does not make me feel good to hang about an agency and have to ask a white man for something to eat when I get hungry.

By the CHAIRMAN:

Q. Is there anything more you would like to say before the examination closes?—A. I am glad you have come from Washington to talk with us. I hope that what you hear here you will carry to Washington and intercede for us there, that we may go back to the country God gave us in the north. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in. The interpreter here has traveled all the way down here with me from the Missouri River. He knows how I have behaved on the long trip, under very trying circumstances. We had our horses taken from us, and our arms taken from us after we had been promised that we might keep them on account of our services to the government; but we obeyed without making any trouble, and now I hope you will take pity on us, and do all you can for us.

The most enlightened and heroic men of our own race are as deeply moved by such feelings of love for their native country as are these

wild Indians, and we must not expect, therefore, that any degree of civilization will ever cause them to cease repining at their banishment. In estimating the prospect of civilizing these Indians, and of their becoming self-supporting in their present location, the first and leading inquiry must relate to their contentment. Without this, and unless they can be made to feel that the Indian Territory is a home to them in the sense of their being attached to the country, it is by no means probable that they will ever strive to gain the independence of feeling that leads men to work for their own living. If they are compelled to accept a prison as a home they will naturally prefer to compel the keepers to feed and clothe them. They will remain pensioners upon our humanity, having lost all pride of character and all care of anything except to live.

The committee have no confidence in the belief that Little Chief and the adult Indians of his band will ever be reconciled to their new home, and they concur with Colonel Mizner that these Indians will always be an obstruction to the improvement of the other bands of Indians.

The theory of the treaties with the Cheyenne and Arapahoe Indians, and the policy hitherto adopted in their management and in reference to other tribes, is that in proportion as each Indian becomes self-supporting he loses the advantage of being supported by the government. This policy would fail with any race of people. It is a strong inducement and reward to abstain from all effort at self-support. With some more promising line of policy the effort to bring these Indians up to the capacity of self-support would not be hopeless.

The policy of congregating the wild Indians in large numbers in one locality is opposed to the measures that are necessary to be taken to meet the changed relations between the government and the Indians in consequence of the rapid growth and spread of our population. They are already surrounded and separated into limited districts by the intervening white settlements, and the time is near at hand when they must become members of the same communities with the white people. The government has already struck a fatal blow at the tribal relations by refusing to further recognize them as treaty-making powers. The tribal relation and the authority of their rulers is preserved only to a limited extent, and as a convenient means for their government. General Miles, whose experience has enabled him to fully understand this subject, gave the committee the following valuable information:

By Mr. DAWES:

Q. Are you, being an Army officer, at liberty to express your own private opinion as to the different policies or measures that have been discussed here in Congress? I do not wish to ask you any questions that will place you in an embarrassing position.—A. In regard to this band under consideration at the present time, I consider the banishment of a body of people from one section of country to another, from a cold region to a warm, malarial district like the Indian Territory, to be unwise, unjust, and cruel. It is like going to Quebec and taking a village of men, women, and children from there and removing them to North Carolina. The change is as great. They are a strong, hardy, northern race, accustomed to a cold, severe climate. The mercury has been as low as fifty-five degrees below zero up there this winter.

Q. What becomes of the cattle in such weather as that?—A. Nature seems to make provision for that; the hair grows longer and thicker upon all animals in cold regions than in warm; the hair of the buffalo is longer and warmer there than it is further south. The buffalo robes gathered in the north are better than in the south. Another thing: the country up there is broken, so that cattle can get shelter under the bluffs. The cattle get fatter in that country than they do in the south.

Q. Under the existing circumstances, do you think it would be advisable to return those northern Indians that are now in the Indian Territory to their former homes?—A. I think it would. I believe it would do no harm to do what seems right. Besides, I do not believe in the policy of taking all the Indians, from all parts of the country, and putting them in one locality. It congregates a great mass of savages in the heart of a civalized country, where they must necessarily give trouble during the present

generation. It will take a large army to keep all the Indians in the Indian Territory, even if it could be done.. And the trouble would not come to an end with this generation. A mongrel race would grow up there, and keep that section of country, and the surrounding country, in a state of constant turmoil. Where there are only a few Indians in a given section of country, they could be easily controlled by the Territorial or State courts. The Indians in Massachusetts, New York, and North Carolina, so far as I remember, have never given trouble to the people of the commonwealth where they live.

Q. What is your view of the proposition, which has been suggested by some, of the allotment of lands to the Indians in severalty?—A. I have always been opposed to this system of gathering together a large tribe, and holding them at one agency, and giving food to them at one place. It causes them necessarily to congregate and remain within a short distance in order to get their food every day, and all the evils follow which naturally result where an idle and indolent body of people are together. I think it would be much better to give them reservations, to separate them by families, and set them to cultivating little pieces of ground for themselves. Instead of issuing rations to them at the agency, I would send their food to them, or give them the money. In that way they would not be so apt to gather in one large camp, and remain there in a state of idleness, as they do now. I think it would be far better for the government to give them what it has to give them in money or cattle—giving them to the Indians in families. The cattle should be branded, so that each family could know what belonged to them, and so that if the cattle were stolen the thief could be detected. Let the Indians select places on their reservation, and have it understood to be their homes—whether they live in a tent or a palace does not make so much difference; but locate them. If you give them cattle, they will soon learn the value of property, which is to some extent the basis of civilization.

Q. Do they understand what it is to have property of their own, in the sense that civilized people do?—A. Certainly; they have clothing, arms, horses, and other property of their own.

Q. I mean in contradistinction to owning property as a clan or tribe.—A. I do not know that they have any property among themselves in their wild state in common.

Q. Take these Northern Cheyennes up there now in their present condition; would a family take one hundred and sixty acres of land in severalty and take care of it and cultivate it?—A. Certainly; there is no trouble at all about it.

Q. Do you think, from your knowledge of the Indians, that they would be generally willing to adopt the plan of having lands in severalty—the wild Indians, I mean?—A. Yes, sir. Of course you have got to approach that matter gradually. From barbarism to civilization is a gradual process. The savage is usually first a hunter, then a herdsman or shepherd; next he cultivates the ground. You cannot expect them at first to be satisfied with one hundred and sixty acres of land and nothing else when they have been accustomed to roam over a whole Territory.

Q. What would be the result of locating them on lands in severalty, with white men surrounding them—mixed in among them?—A. That would not work so well at first, because it is very difficult to overcome the prejudice between the two races. It would be better for them to locate on their reservations at first, and then, as they become civilized, they will be able to understand the force and benefits of the civil law—a difficult thing to make them understand.

Q. According to your idea, then, this thing must move slowly?—A. Yes, sir; gradually, but constantly.

Q. Constant in one direction?—A. Yes, sir; with a steady view of reaching the main object and end.

Q. What is your view of such schools as have been put in operation for their benefit at Hampton and Carlisle?—A. I think I was among the first to recommend that several years ago. The difficulty and disadvantage of having a school at an agency is this: you have got to keep the tribe there at the agency where the school is, or else separate the children from their parents. If you are going to separate the children from the older Indians, it would be better to let them go where they can see the benefits of civilization. In passing through the country, as they must, for instance, in coming to Carlisle or Hampton, they will see the power of the white race, and learn the advantages of civilization. Then, again, they are away from all the demoralizing influences of camp life. It is bettter to take the boys and girls, and teach them the English language and habits of industry and then let them go back with the new ideas which they have obtained by association with the white people. The Indians, so far as I know, are willing to do that. I have had many offers from prominent men in the Indian tribes, that have asked me to take their sons and send them East to have them educated. They see that the whites have power which they have not; that we have newspapers, and know how to manufacture everything needed, which they do not. Of course, if you take the children of prominent men who are soon to become chiefs themselves, headmen of the nation, who are to have control of affairs among them, you will gradually educate the whole tribe.

Q. Are these schools meeting your expectations?—A. Yes, sir. But they are only their infancy. My recommendation was, to take a number of military posts, that re no longer needed because civilization has gone beyond them, and convert them o industrial schools.
Q. Like Carlisle Barracks?—A. Yes, sir; that is simply one that has been taken; re are several others that can be used.
Q. You think that that would be better than trying to do the same thing on the rvations?—A. Yes, sir.
Q. What do you think of having blacksmithing, shoemaking, carpentering, and er trades taught them on the reservations, making the agency schools to some ent industrial schools?—A. As regards teaching a trade at an agency, I never yet w an Indian to learn the blacksmith trade in that way.
Q. But assuming that the blacksmith is as good a workman as he ought to be—a d one?—A. He may put shoes on the feet of the pony of some warrior that has n out on a raid and got his horse sore-footed. As a general thing, these mechanics ut the Indian agency do not amount to much. But take five hundred or a thoud Indian boys and put them at a large industrial school, where they will learn the glish language and be taught some useful trade at the same time, and when one of se boys goes back he will be of some use among the tribe.
Q. What is your idea as to whether the Indians, as a race, are increasing or decreasin numbers?—A. The tribes that are peaceable, I think, are on the increase.

By the CHAIRMAN:

Q. Is there anything else that you see in Little Chief's testimony that you would e to explain?—A. I have mentioned the only point which I have seen that I think eds correcting.

By Mr. DAWES:

Q. What was the character of Little Chief?—A. He was a quiet, peaceable, well-haved man while with me.
Q. Was he the first in authority?—A. No, sir; he was a subchief.
Q. Who was the first in authority?—A. Roman Nose and Little Wolf.

By the CHAIRMAN:

Q. There is one point which we would like to have explained. Of the first band of orthern Cheyennes that went to the Indian Territory, about two-thirds have been ontented ever since they went down there; the other third are discontented, and onstitute the band that went through Kansas and Nebraska under Dull Knife and Wild Hog and made trouble. Of the band that went down when Little Chief did, bout the same portion are contented and one-third are discontented. Have you any nformation that will enable you to give any satisfactory explanation as to why this ifference exists among the Indians, so that two-thirds of each band should be willing o remain, while one-third of each band are discontented?—A. Many years ago the heyenne tribe divided; a portion of them went south and have remained there ever nce. I can account for the difference to which you refer in no other way than that erhaps the relatives of some of them, who were already down there, treated them ospitably and made it as comfortable as possible for them. That would naturally ave a tendency to make them like it better down there.
Q. Did you know a chief among the Northern Cheyennes named Living Bear?—A. do not know him.
Q. Living Bear and Standing Elk appeared before this committee at Fort Reno hen these questions were asked and these answers given:
"Question. Why did you not go off with the other Northern Cheyennes when they ft this part of the country to return to their northern homes?—Answer. We were ld at the council at Camp Robinson, by Generals Crook and Mackenzie, that the resident had given orders for us to come down here and live in the southern country; e intended to be obedient to the orders of the President, and so we did not go back.
"Q. Did you want to go back?—A We had no idea of going back any more; we did ot want to go back after having come down here.
"Q. Do you want to go back now?—A. I have been satisfied here ever since coming own; when I first came down here the Southern Cheyennes met me, and took me by e hand, and told me they were glad I had come down; and I have felt at home ever nce."
Now, those two men represent about two-thirds of the first band of Northern Cheynes, and they are contented there to-day. The other third, who went north, you now all about. So in the band that went down, about two-thirds of them are satisd, while the other third, under Little Chief, are very discontented, and I doubt hether they will ever become contented. I have wondered whether there was any ason for this.—A. I think it can be accounted for in the way I have mentioned. As iving Bear says, his friends down there met him, took him by the hand, and did erything they *could to make it agreeable for him*. The traders are always anxious

to draw as large a crowd of Indians around them as possible, because it is money to them. They sometimes buy up the headmen by presents, in every way possible, to induce them to hold their people near them. I see no objection to those that want to remain there remaining there; but I see no reason for holding those there that are dissatisfied and desirous of returning north.

Your committee are of the opinion that the return of Little Chief and his immediate followers to Tongue or Powder River would be an act of justice, and a deserved reward for his faithful obedience to the law, or rather to the will of the government as enforced by its agents and military authorities. It would be an example also to the Indians which would tend to convince them that the concessions made to their wishes by the government are the consequence of their good conduct, and not, as many of them believe, a sort of bribe to prevent them from going on the war-path.

The other Cheyenne and Arapahoe Indians are better satisfied with their present location, and are consequently more within reach of civilizing influences; but none of them are in condition to become self-supporting for many years to come. The country occupied by them is not more fertile than that given to them in the treaties. It is dry and hot, and has but little good timber. It is suited to grazing rather than to agriculture. Irrigation on an extensive scale would be a costly work, and beyond the reach of the means or the skill of the Indians. It is probable that ditches could be constructed by the government which would irrigate a sufficient area to provide for the Indians ample grain crops; but all existing conditions of soil and climate indicate clearly that the chief reliance for food must be the raising of flocks and herds. The committee believe that these Indians who are satisfied with their present location are in the proper condition and in the right country for the systematic trial of this means of inducing them to improve their condition. The committee have not considered in detail the best plan of introducing this industry amongst them, but are satisfied that its success would depend largely, if not entirely, upon separating the numerous bands, so that each of them should have a grazing territory under its control, and that each family should own cattle as separate property.

A herd of cattle belonging in common to the school children has increased to a large number. It is a most encouraging success, and is about all that is visible in the way of material progress among the 5,000 Indians around Fort Reno, except the freighting business, which is a great advantage and has yielded excellent results. An Indian ought to make as good a herder as a white man, and these tribes should be able at least to raise all the beef and mutton they could consume, on the wide plains in the limits of their reservation, if they are protected in its occupation and supplied with cattle and sheep to begin with.

The schools at Fort Reno Agency are well conducted, and promise in after years to be of great advantage to the people. There is an Indian sentiment which is averse to acquiring a knowledge of the English language. Whether this is owing to their aversion to the white people or is an expression of their pride of race it is not easy to ascertain. If it is their love of their native tongue, the sentiment is honorable and has characterized all brave and spirited people. As the teaching must be in the English language, the process of education must be painfully slow. The teachers in these schools are most worthy, patient, self-denying, intelligent, and faithful in their duties. They are chiefly young ladies, and are being aided somewhat by native girls who are sufficiently trained to be of valuable assistance. The schools afford the most hopeful evidence of the ultimate capacity of these Indians for high civiliza-

ion, who are described by Generals Miles and Mackenzie as presenting he highest type of mental and physical power to be found among all he wild Indian tribes.

Your committee are strongly impressed with a like conviction as to heir capacity.

In one respect their condition deserves sympathy, if not pity, and ex- tes also serious apprehension of bad results at some time. More than ve thousand Indians are imprisoned (for to them it is only imprison- ent) in a country that offers but little temptation to labor to those who nly know the rudest forms of agricultural industry. White men would ake it a good agricultural region after having expended upon it much bor and skill; but to the Indian it might almost as well be a desert, far as the fruits of the earth are concerned. They are not encour- ged in that country by nature to begin the novel enterprise to them of ving by growing their food supplies. The chase is ended, for the game exterminated. And so it is that five thousand idle people, without ope, without aspirations, feeling always the chains of bondage, and rooding over wrongs, actual or imaginary, are left to drag out their ays in sullen despair, or to relieve the tedium of such a life by loiter- g, mischief-making, and in useless sports and pastimes. Their rations nd annuities claim their whole attention, and the slightest disappoint- ent in the issues creates dangerous commotions.

The foregoing statements are taken almost exclusively from the testi- ony of witnesses examined before the committee. They will be found o receive almost exact corroboration from the accounts of the same ransactions in the various reports and letters of Army officers, agents, nspectors, and others which were made at the time. Mr. Miles, the gent at Fort Reno, has done his duty faithfully and bravely in almost very particular, and has had a most difficult task to perform. In this he as had the valuable support of his excellent family, who are true Samari- ans, to whom the Indians show great respect and gratitude. Mr. Miles, ike every other Indian agent, has been compelled to conform to the will nd pleasure of the head of the Indian Bureau, and to gloss over his mis- akes or delinquencies with a show of approbation. These agents and he bureau should be made to some extent more independent in their elations, so that they might not be compelled to attribute every trouble hat arises to the Indians in order to shelter the Bureau of Indian Af- airs. Colonel Mizner and the officers under his command at Fort eno have given the most enlightened and dutiful support to all meas- res looking to the peace and welfare of the Indians and the civil offi- ers and employés in charge of them.

The instruction in farming now given to the Indians is of no practical alue. One farmer only is provided for near a thousand laborers (if hey should go to work), men who are ignorant of everything relating o agriculture. This supply is wholly inadequate, and only leads to idiculous failure and the disgust of the Indians with their futile efforts.

The committee believe that a most favorable opportunity is now pre- ented to bring these wild Indian tribes into a condition of comparative rosperity and enlightenment through the wise and faithful efforts of ongress and the executive departments.

We are not living up to our obligations with the Cheyenne and Ara- ahoe Indians, and we should give them clearly to know by our future ealings with them that we will do them full and liberal justice, while e require of them honest and exact obedience to law.

By such a course we will save a race of men, worthy of the best labors f civilized men and of the sympathies of Christian people, from the sad

fate that awaits them if they are suffered to linger and perish in this national poorhouse.

Your committee respectfully recommend:

1st. That Little Chief's band (not including those who are merged in other bands) be returned to the vicinity of Fort Keogh and be put on a reservation with the Northern Cheyennes in that vicinity, and that the competent men amongst them be employed as Indian police or scouts, according to the necessities of the service. This course will avoid the evil example that might otherwise be set by removing Indians because they are dissatisfied.

2d. That a policy be adopted, and enforced by law, with reference to the Cheyenne and Arapahoe tribes of Indians, whereby the territorial limits of their reservation shall be established on a liberal basis (having distinct reference to ample grounds for grazing), and shall be secured to them exclusively for a term of years, and that will also secure to the Indians the full benefits of existing treaties with those tribes.

3d. That a plan be adopted for establishing a herd of cattle for the tribes, or separate herds for the bands, and that the government provide for a reasonable annual investment of money in stock cattle to preserve and increase the herds, to be under the control of the Indian agent, under regulations to be prescribed by the Commissioner of Indian Affairs.

4th. That herdsmen be employed, where convenient and safe, from the several bands of Indians; and that a sufficient Indian police under white officers be employed to guard the herds, and generally to preserve order in the reservation.

5th. That additional farmers be employed to remain with the Indians to aid and instruct them in agriculture; and that some provision be made for the survey of irrigating ditches and dams to be opened and constructed by paid labor of the Indians, and to be for the common use of those who may select small bodies of land along the ditches.

In making allotment of lands to Indians in severalty, attention should be given to the proper regulation of the privileges of using water from the irrigating ditches, and the right to such privileges should be carefully provided for and made to depend upon the steady pursuit of agriculture as a means of living. As the best means that have suggested themselves to the committee to wisely inaugurate this plan and to provide permanent homes for the Indians, the committee recommend the adoption of the accompanying joint resolution.

S. J. KIRKWOOD.
JNO. T. MORGAN.
H. L. DAWES.
J. E. BAILEY.
P. B. PLUMB.

TESTIMONY

TAKEN BY

A SELECT COMMITTEE OF THE SENATE

CONCERNING THE

REMOVAL OF THE NORTHERN CHEYENNE INDIANS.

TESTIMONY

IN THE

[EYENNE INDIAN INVESTIGATION.

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e first testimony taken was at Lawrence, Kans., on the evening
igust 12, 1879, all the committee being present excepting Mr. Bailey,
nnessee, who, being unavoidably detained at home, did not accom-
the committee to the west, nor participate in the examination of
itnesses there.

ild Hog, a leading man among the Northern Cheyenne Indians, and
f his companions—the six being confined in jail at Lawrence on
e of outrages alleged to have been perpetrated, during their flight
the Indian Territory, on the white residents of Kansas—were
ht to the committee room accompanied by their attorney Mr. J. G.
er.

jor Ben. Clarke, of Fort Reno, Ind. Ter., was sworn as interpreter.
ng questioned by the chairman as to whether Indians understood
eaning and recognized the sanctity and binding force of an oath,
terpreter replied that the Indians know what an oath means, but
m it does not amount to anything. They say they always tell the
, because the Great Spirit hears them. In this case they will feel
t is for their interest to tell the truth.

ther conversation took place between the chairman and the inter-
, and between the interpreter and Wild Hog, at the close of which
terpreter reported to the chairman:

ld him that according to white men's methods, whenever white
s take an oath, knowing that God above hears what they are
to say, they feel bound to tell the truth. I asked him if he, know-
at the Great Spirit would hear what he had to say, would tell the
; and he said he would.

CHAIRMAN (to the interpreter): Please state to them that if
lesire to tell anything that occurred before they left their northern
to go south, how they came to leave their former home, the rea-
hy they left, &c., we should be glad to have them do so—making
and full statement of the facts.

Mohler, the attorney for the Indians, suggested that Wild Hog,
ader and the ablest among the Indians present, be examined and
r for them all.

WILD HOG.

LAWRENCE, KANS., *August* 12, 1879.

CHAIRMAN (to the interpreter). Q. Very well. Ask Wild Hog
he and his tribe used to live before they went to live in the
borhood of *Fort Reno.*—*Answer* by Wild Hog through the in-

terpreter: The Black Hills was the center of the region of country where they were born and where they grew up, and where their fathers before them were born and grew up.

Q. When did they leave their northern country to go down south?—A. There have been two winters passed, and the end of the one that is coming will be three since they left and went south. (The interpreter explained that the Indians knew nothing of the white men's method of calculating years from the Christian era, and that this meant they started south in the spring of 1877.)

Q. Why did your tribe leave their northern home and go south?—A. We were called to a council at White River, at Camp Robinson, the old Red Cloud Agency, by Generals Crook and McKenzie. When we were assembled there, we were told that it was the will of the government that we should go south, to the Southern Cheyenne Agency. When we were first notified that the government was going to remove us to the southern territory, there was a great deal of dissatisfaction among the Indians; they did not like the idea of leaving their native country. But after awhile, a portion of them were brought to agree to it, and appeared to work with the officers and the interpreter for that purpose.

Q. How were they brought to agree to it? what was said to them, if anything, to induce them to leave?—A. They were told that the southern country was a much finer country than that up there; that if they would go down there, they would receive a much better issue of provisions and a better issue of annuities; that it was fine hunting down there; that it was the orders of the government that they should go, and if they would go, the government would do everything in its power to make it pleasant for them. We were even told that we should receive presents of horses and other presents on our arrival in this southern country.

Q. What next occurred?—A. It was in accordance with the orders of the government, and in consequence of the promises made us by these officers, that we finally concluded, though with considerable hesitation and reluctance on the part of a great many, to leave the Red Cloud agency. We moved down to the place where the government had ordered us to go—the Southern Cheyenne Agency, in the Indian Territory, near Fort Reno. We moved down quietly and nicely, without doing any mischief whatever—without harming any one or troubling the property of anybody.

Q. After arriving at the Southern Cheyenne Agency, what next occurred?—A. As soon as we arrived at the agency, we began to see that things were not as they had been represented to us.

Q. What was the trouble?—A. Very soon after our arrival there the children began to get sick and to die in a way they never had been known to do at the north. The climate was much hotter than at the north, and the woods were full of musquitoes and bugs, that troubled us very much. The country was not full of game, as we had been told we should find it. It did not nearly come up to our old range up north for hunting.

Q. Were there any other grounds for complaint?—A. We were told also that if we removed to the south we should find a much better issue of rations; that the rations issued, in quantity and quality, should be such as would never allow them to get hungry. But when we got down there we found that the principal part of our rations consisted of corn ground up—corn meal. We were told that, in addition to the rations issued, there would be plenty of buffalo for us to hunt; but we did not

ind buffalo plenty there at all. They were all gone the first winter that we went out to hunt.

Q. How many children got sick and died?—A. Between the fall of 1877 and the fall of 1878 we lost fifty children by sickness.

Q. What else, if anything, occurred to make you dissatisfied with that country?—A. We could not forget our native country anyway—where we grew up from childhood, and knew all the hills and valleys and creeks and places we had hunted over; where the climate was cooler, the air purer and healthier, the water sweeter and better, than in the southern country to which we had been sent by the government; and finding that the promises which had been made to us by the government were not fulfilled, that, instead of being better than the land we had left, everything was so much worse, we got homesick for our own county again.

Mr. PLUMB (to the interpreter):

Q. Inquire of him in regard to the issue of food, the furnishing of medicines, and whether medicines had been asked for and refused.—A. There was a doctor at the agency; sometimes when called upon he would go and see the one that was sick; at other times, very often, he would pay no attention; he would not go nor do anything. He would doctor some of the southern Indians; but when the Northern Cheyennes would call on him, he would not go near them nor pay any attention to them.

By the CHAIRMAN:

Q. What is his name?—A. I cannot give his name; there is only one doctor there—the agency doctor.

Q. Did they get all the beef promised them?—A. We did not get enough to eat on the beef ration. They would give Indians to the number of sixty-seven or sixty-eight two small beeves. Sometimes two beeves would be given to sixty or seventy Indians, sometimes to eighty or ninety Indians.

In answer to inquiries by the chairman and other members of the committee, the witness explained at considerable length the method of distributing beeves among the Indians. The Indians would divide themselves into groups or companies, and to these companies the cattle were distributed, one to each company once a week. The cattle were given to the Indians alive, and they did the killing; they preferred to have it that way. When the beeves furnished were uniform in size, the groups of Indians so formed would remain unchanged for weeks and months; when they differed widely in size, a great deal of trouble and confusion resulted. In addition to this, the witness added in conclusion, there was not a sufficient supply of beeves, so that each one had to be distributed between so many Indians that there was not enough to supply the number of each; for instance, "sometimes a company of forty-two Indians would get only one steer, and steers were then very poor."

By the CHAIRMAN:

Q. Did they not get any pork?—A. Once in a while they got a piece *that* big (exposing the palm of his hand) for a family, at other times they did not get any.

By Mr. PLUMB:

Q. What did they get besides beef and pork?—A. They issued flour, sugar, coffee, and tobacco, but they never had them all at the same time. They were always out of something. They didn't have coffee half the time. We had to gather a kind of leaf on the prairie and use that most of the time, in order to have any hot drink.

Q. (To the interpreter). Does he mean to say they didn't have in all the full amount of rations due them?—A. (By interpreter after consultation with witness.) He says so.

Q. I thought they might issue flour one day, sugar the next, &c., and what was lacking one day might be made on some other occasion, so that on the whole you might get your full and complete rations?—A. There was never an issue when we got our ration complete of anything; and we were out of coffee almost all the time. The flour was very black, very poor.

By Mr. MORGAN:

Q. Did you ever really suffer from hunger?—A. We were *always* hungry; we *never* had enough. When they that were sick once in a while felt as though they could eat something, we had nothing to give them. The beef rations were generally eaten up in two days—a week's rations.

There is another thing I had forgotten to speak of. Before we left our northern home, we were told that when we got down to the southern agency, if we would give up our children to go to school to the mission, we should be paid money for it, which we have never received.

Q. Where were you told this?—A. Up at White River, at the council there; we were told that we should receive money—which we have never got—on account of giving up the children to be educated.

Q. After the arrival of the Northern Cheyennes in the Indian Territory, did any of them make any effort whatever to cultivate the soil?—A. Some of them did begin to farm a little.

Q. About how many?—A. There were five or six began to do a little in that line.

By the CHAIRMAN:

Q. How did the Northern Indians get along with the Southern Cheyennes?—A. No sooner had the Northern Cheyennes got down there than the Southern Cheyennes began to show dislike for them. They said, "What are you *Sioux* doing here?" Little Rogue pointed his finger at me and asked that. After that there was quarreling between the Northern and the Southern Cheyennes all the time.

By Mr. MORGAN:

Q. Had the Northern Cheyennes intermarried with the Sioux?—A. Great numbers of the Sioux have married our women; and some of our men have married Sioux women. This intermarrying has taken place principally with the Spotted Tail and Red Cloud bands of the Sioux. We used to live with Red Cloud and Spotted Tail and their bands just as if we were all one tribe; used to give each other our children in marriage, and mix with them in all ways as if we all belonged to the same tribe.

By Mr. PLUMB (to the interpreter):

Q. Ask him whether they made a treaty with the government when they went down south, or before; if before leaving White River and going below, how long before; and whether the treaty, if there was one, was in writing?—A. There was a treaty made, which our principal men signed.

Q. Who made these representations as to the character of the country down there, and these promises as to what they should receive it they would go down there?—A. We were told so at the council that was held with Generals Crook and Mackenzie, at the old Red Cloud Agency; we were told so through the interpreter, Long Knife—the white people call

him Bill Rowland. We were told that it was the orders of the government for me to go down there—that we *had* to go down. The intepreter told us so.

Q. Were these promises made before the treaty was signed, or afterward, or a part of them before and a part after?—A. The promises were made to us first; and afterward we signed the papers and agreed to go down.

Q. Were all these promises contained in the treaty or not? Were you told, or did you understand, that they were?—A. They were given to us, through Bill Rowland, as coming to us from Generals Crook and Mackenzie in that council.

Q. What I want to get at is, did you understand that these promises were put down—written down—*in the treaty* before it was signed?—A. They told us that it was all contained in the treaty; that it was all written down there.

Q. How many of you went down there in all—men, women, and children—under that treaty?—A. There were about nine hundred and sixty of our people.

By Mr. DAWES:

Q. In all, do you mean, or that went down there?—A. That went down there.

Q. How many of these were women and children?—A. I could not tell exactly; there were nearly three hundred men; the rest were women and children.

By Mr. PLUMB:

Q. When you got down there, did you find that any employment had been provided for you; any land broken, any agricultural implements furnished, or any arrangements made so that you could cultivate the soil, or anything done so that you could help yourselves; that first year, I mean?—A. We did not receive any agricultural implements when we first got down there; the agent said he was going to issue some the following season; but before that time came we got sick of that country and preferred to go back north; if we could have been allowed to go back to our old reservation we would have been willing to go to farming, or to have done anything the government required of us in that country; but we didn't care to go to farming down there.

Q. Was there any land plowed up, ready for you to go to work on?—A. There was none plowed up when we got down there; but I told the agent I would like to have him speak to the President, or send word to the President, and ask him to let us go back to the north, and have them do these things for us up there—put us in the way of agriculture up there. But the agent did not pay any attention to us.

Q. Were any agricultural implements issued to you the next season or any land broken up for you?—A. In the fall of the first year some of our people received some farming implements, plows and hoes.

Q. To how many were farming implements given?—A. I believe to five families; to Crazy Head, Broken Dish, Living Bear, Standing Elk, and Spotted Elk; Spotted Elk has since died.

Q. Had they any horses when they went down there?—A. We had a good many, but not so many as we had when we came into Red Cloud and soon after getting down there.

Q. Do you mean when you came into Red Cloud at the time the treaty was made or when you came through there on the way down?—A. Before we came into Red Cloud we had a good many horses; after getting there we were dismounted, *and our horses* taken away from us; but a

part of them were given back to pack our things on. After reaching the south, a part of the horses were taken away and never given back again, contrary to the promise made them that those ponies never should be taken away from us.

Q. Were they taken away by anybody representing the government?—A. Yes; and a good many more were lost by being stolen by other Indians, Arapahoes and Southern Cheyennes.

Q. Did you find any game down there?—A. About the only game we could find was turkey.

Q. Did you not go out on the plains, sometimes, and hunt buffalo, with the consent of the agent?—A. We went out on a buffalo hunt, and nearly starved while out; we could not find any buffalo, hardly.

Q. What did you do during the time you were there? What were the men of your tribe occupied about?—A. When we first got down there we didn't do anything. Soon after getting there sickness came into our camp. When winter came we went out on a buffalo hunt, and nearly starved; we could not find any game; we could hardly get back with our ponies; while on the hunt we had to kill a good many of our ponies to eat to save ourselves from starving.

Q. Were the men and women sick while in camp, as well as the children?—A. Yes; a great many of our finest young men died, as well as many women.

Q. Of what disease?—A. The children died of a disease we never knew anything about before; they broke out in blotches and dots all over, their noses would bleed and their heads split open; I don't know the name of it. (The interpreter explained that it was the measles.) Then there was a great deal of ague among the older people.

Q. How many doctors were there at the agency?—A. Only one.

Q. How many Indians were there?—A. I cannot state whether there were five thousand or six thousand or more than that; I know there were a great many Indians to one doctor; all the Arapahoes and all the Southern Cheyennes and all the Northern Cheyennes were at that one agency, with only one doctor for them all.

By Mr. MORGAN:

Q. How long have the Northern Cheyennes and the Southern Cheyennes been separated?—A. There is a tradition that originally all the Cheyennes belonged north, in the Black Hills region and between the Yellowstone and the Platte Rivers; but a long time ago—it must have been over a hundred years ago—a small portion of the tribe branched off and went down south to trade for horses with the Kiowas, and some of them staid there; afterward, at different times, others broke off and went south; but for the present generation, for the past sixty years, the Northern Cheyennes have staid north and the Southern Cheyennes have staid south, and have not had anything to do with each other.

Q. Which was the largest branch of the Cheyennes—the northern or the southern?—A. The northern was, originally.

Q. But at the time of the removal?—A. Then the Southern Cheyennes were.

Q. How much the larger; in what proportion?—A. In the proportion of about two to one, or about two and a half to one; there were about twenty-five hundred Southern Cheyennes to about a thousand Northern Cheyennes.

By the CHAIRMAN:

Q. Was any promise made you at the council at the old Red Cloud Agency that in case you did not like the location selected for you in the

outh you might return to your northern homes?—A. Yes, there was. During that council, and before we had agreed to come down south, while there was a great deal of talk against going, we were told that it was the will of the government that we should go down; they said, "You can go down and look at the country, and if you do not find it as we say it is, you can come back and live here again." That is what was said to us by Generals Crook and Mackenzie in that council.

Q. (To the interpreter.) Were these other Indians present at that council, and did they understand this matter in the same way that Wild Hog does?—A. (By interpreter, after consultation with Wild Hog's five companions.) Yes.

By Mr. MORGAN (to interpreter):

Q. Was Wild Hog a chief, and there at that time in that capacity?—A. He was.

Q. Did he himself hear the promise?—A. (After referring the question to Wild Hog.) He says he heard it.

Q. Did he sign the treaty?—A. He did.

Q. Was he the head chief of the tribe?—A. He was not the head chief, but he was a chief; Little Wolf was the principal chief, and Wild Hog came next. He was the second man that talked at the council on the Indian side, he says.

By the CHAIRMAN:

Q. What other Indians talked besides Little Wolf and Wild Hog. Who else participated in that council on the part of the Northern Cheyennes?—A. (By Wild Hog:) There were only five of us spoke on that occasion; three others besides Little Wolf and myself—Dull Knife, Standing Elk, and Living Bear.

Q. Did those five all sign the treaty; and did any one else sign it on the part of the Cheyennes?—A. Those five, and only those five, signed the treaty.

By Mr. DAWES:

Q. Did you explain it, as you understood it, to the rest of the band, before signing it?—A. All the men belonging to the tribe were not present at the council, but it was explained to them, and they all, generally, understood it before they left there.

By the CHAIRMAN:

Q. Do I understand correctly that these other five men, who are here now with Wild Hog, were there in that council, and so understood the treaty?—A. (By the interpreter, after referring the question to each one of the five, who replied affirmatively.) These five were all there; and there were many Sioux there also, and some Arapahoes.

Q. Did your people go south voluntarily, or in consequence of these representations, and with the understanding that the government had issued an order, from which there was no appeal?—A. A portion of them were willing to go from the beginning; but this was only a small portion; the greater portion of them preferred not to go, but they understood that it was the will of the government, and that they *had* to go.

By Mr. PLUMB:

Q. Did they all go south, or did some of them remain north?—A. All who were at that agency went south. A portion of the tribe had surrendered to General Miles, and these did not go down at the same time with the rest. And a part of the band are still up there, with General Miles.

Q. If those rations which are issued at the present agency were to be issued every day, or every two days, instead of once a week, would it be more satisfactory? Would any method of distribution result in giving greater satisfaction—the amount of rations issued in all remaining the same as at present?—A. If we got only the same amount in all as now it would not make any difference. But when we got seven days' rations up north we had plenty to last us for the whole seven days; down there we did not have plenty.

Q. Who issued the rations up north?—A. The agent; he issued every seven days, and we had plenty to eat; we got sides of bacon, while we get only little pieces down here; and we got everything else in proportion.

Q. Would your tribe generally have cultivated the ground, and entered upon farm work, if they had had implements furnished them, and ground broken up and made ready for them—the second season you were down there?—A. We didn't want to farm anyway down south; we wanted to go back north, to our own native country; we were willing to farm, or to obey any other orders of the government, if we could be permitted to live there; we did not feel like settling down in the south.

Q. Were any of the Southern Cheyennes engaged in farming when you went down there, and the next season following?—A. A pretty good many of the Southern Cheyennes, when we got down there, were already farming; not very many, but a considerable number; a number of women who were widows of Southern Cheyennes were farming down there.

By Mr. DAWES:

Q. Did the Northern Cheyennes, when they got down there, remain separate from the Southern Cheyennes, or did the two mingle together as one people?—A. As soon as ever we got down there the Southern Cheyennes commenced calling us "fools," and "Sioux;" so we kept separate, and did not camp together.

By Mr. PLUMB:

Q. How many of the Northern Cheyennes died between the time they went down there and the fall of the next year, 1878?—A. (After some time spent in consulting, counting, and calculating with his five companions, the witness answered:) As nearly as we can calculate, there were fifty-eight of them died.

Q. Were any others sick at any time?—A. There were a great many taken sick who afterward recovered.

Q. Did the doctor ever go out to visit the camp of the Northern Cheyennes?—A. When he was sent for he used to say that his medicines had given out, and he would refuse to go and visit them.

By the CHAIRMAN:

Q. Was the hunting better up north than down there?—A. Yes, the hunting of everything—buffalo, elk, deer, everything. The hunting generally was a great deal better, in all respects.

Q. Were not the winters colder up north than down there?—A. The winters were colder, but, nevertheless, it was much more pleasant and healthy, and the game much more abundant. The snow was pretty deep, but we were comfortable—we felt happy all the time, up there. Though the country is colder up there in the winter, the grass has more nutriment; the horses and cattle fatten better; the horses keep stronger on it.

By Mr. PLUMB:

Q. Were you at Camp Robinson?—A. I was.

Q. If you choose you may state why the Indians broke out from there, and the circumstances which led to and attended that event.—A. When we surrendered, and were taken to the garrison at Camp Robinson, we were told that our case would be represented to the President, or to the government, and that we should be well treated. For a good while we were well treated and very pleasantly situated there. We were kept under guard, but had a large house to stay in; and we had plenty to eat. After being there a good while, we were at length called into council by the commanding officer. We were told—that is myself and Tangled Hair and Dull Knife and Old Crow—we were told that orders had just been received, saying that we must return at once to the Southern Cheyenne Agency. We were very much surprised at being told that we would have to go at that time. I said, "Look at us; see how we are clothed!" There was nothing on us hardly; the snow was that deep (about two deep); the weather was exceedingly cold. We said we would like to remain there until the weather got warmer, in the spring; besides, a part of our band were still at large, and by that time they could all be got together, and could all go back together. We said, if the order has come for us to go back, why not take us all back? and our women and children could go back better in the spring. We were sent for several times after that; we always tried, in the same way, to get them to wait until spring; we did not say that we *would not* return, but that we would rather wait. Then, all at once, the commanding officers got mad, and cut off our rations and fires—just because we said we did not want to go away in the winter. For seven days none of us—men, women, nor children—had anything to eat. For seven days, although it was bitter cold, we had no fire, nor any fuel with which to build a fire. No water was given us to drink. We were nearly starved and nearly frozen; we expected to be starved to death. So we broke out. This that I have told you, and all I have said to-night, is the truth, and I have not been lying at all.

By Mr. MORGAN:

Q. Who was the commanding officer?—A. I do not know his name; he was a cavalry officer, and had a gray horse company of cavalry.

By Mr. PLUMB:

Q. After the officer informed you that you must go south, did you not become so angry that the soldiers were afraid to open the doors, and put provisions in there, and furnish you with fuel, for fear you would break out then, the instant the door should be opened?—A. They were not afraid of us; during all the time they were keeping us without food and fuel they used to come into our guard-room. We did not deem it right to be angry at them, for the commanding officer who caused these orders to be issued to us told us that it was done by the order of the President.

Q. What reason did he give for not feeding you?—A. Because the President told him not to.

Q. Were you not told that it was because you would not go south, or that you could have no food until you would go south, or something of that kind?—A. The officer told me that the President had ordered that we should not receive any food, or any fuel for fire, because we had said we did not want to go south. He said, "If you will go south now, right away, we will issue food and fuel to you again." We said again we did

not want to go, because we had not the clothing to keep us from freezing to death in such cold weather.

Q. Did they continue starving you, and keeping you without fuel and drink, up to the time of the outbreak?—A. At the end of seven days the man who had been in command sent for me alone; I think his name was Lieutenant Johnson; he said to me, "I am very sorry that you are being starved and used in this way; it makes me feel bad to see you suffering in the way you are; I would not have you suffer so if I could help it; I thought I had charge of you myself, but the government has decided otherwise, and it seems that this other officer has charge of you; it is not my fault that you are suffering in this way." About the same time the agent of the Sioux came up there—of the Red Cloud Sioux—and I told the agent I would like to give him my children to keep and let him send them to school, so as to keep them from suffering, for they were being starved there too; but he said he could not do it. About the same time, just after my interview with the others—Lieutenant Johnson and the agent of the Red Cloud Sioux—the present commanding officer sent for me. I was a little suspicious, and asked Old Crow to go with me. I did not like to go, and so waited for some time, but they sent the interpreter, Bill Rowland, after me again, saying that the commanding officer wanted to talk with me; then we both, old Crow and I, went down to his house. As soon as we got in there I knew that there was to be trouble; I saw by the movements of the soldiers that they meant to do us some injury. Almost as soon as they had entered the house the soldiers came in and surrounded us. The commanding officer then said to us, "Now, we want you to say what you are going to do, right away." I repeated what we had said before, that the weather was so cold we should all perish if we tried to make the journey then, with the snow so deep, and that we preferred to wait until the weather should get warmer; also that I had been trying to give my children away to the Sioux agent to educate, and so that they might not starve to death if I did myself. From the motions of the soldiers I thought they were going to kill me; then I concluded I would stab myself. I thought I would rather kill myself than be killed by anybody else. Then the soldiers sprang at me and grabbed my arm, and we had a tussle; that was how the struggle commenced. Then they captured and made a prisoner of me and of Old Crow; they put irons on us both. They put the irons on Old Crow first; Old Crow and I were great friends; I at first resisted their putting irons on me, but when I saw they had put them on Crow I rushed up and said, "If you are going to put irons on him, put irons on me too;" and they did.

Then they put irons on Left Hand; he was the third one ironed.

After taking us prisoners, they carried us out to the post and separated us from the other prisoners. We had our wives with us; Tangled Hair's mother and aunt were with us, and that one next to him had his mother and aunt with us; these others that were with me had their wives and some of their children also, so they were left out of the fight that followed. We heard of the outbreak the next morning.

Q. Did it occur the next night after taking you and these other men away from the rest?—A. It occurred on the very night of that day; that precipitated the outbreak. They were still kept starved; and when I and these other men were called out and ironed and taken away they thought we were to be killed, and not only we, but those who remained behind; and if they were to die anyway, they determined to sell their lives as dearly as possible.

By the CHAIRMAN:

Q. How many were there in confinement at Camp Robinson?—A. There were one hundred and fifty-five in all—men, women, and children.

Q. How many of them broke away?—A. All them that were in the house there together broke away. When they took us prisoners they allowed us to send for our wives and children; then those that were left in the guard-house broke out—men, women, and children. The number of those not in the outbreak was about twenty; this would leave about a hundred and thirty-five that broke out.

Q. How many of these were killed in the pursuit?—A. The men were all killed, except Tangled Hair, here, and Dull Knife; Dull Knife slipped out in some way and got down among the Sioux, and is there yet, or was when last heard from.

Q. That is not all of them that remain?—A. These six men and Old Crow and Dull Knife are all the men that remain of that band, which numbered one hundred and fifty-five when they surrendered; but there are fifty-seven women and children left up north, besides some women and children that were sent below. I do not know how many of the women and children were killed.

Q. Is there anything further you would like to say before we close the examination?—A. (The Indians consulted together, and Tangled Hair made a statement as follows:) "I was one of the party who broke out; we had not made up our minds to break out until that night. From the actions of the soldiers outside who had captured the others, we who were inside thought they were getting ready to commence shooting us down. Some soldiers came to the door and said, "We want your women and children to come out;" but the young men surrounded their women and children, and would not allow them to go out. Then we all consulted together and decided that, rather than be shot down in there, we would break out. Just as soon as we broke out the first shot was fired by the soldiers. When we broke out, it was not with the intention of doing harm to anybody, but to try to get away. The soldiers fired on us, and then it was just like shooting cattle; we dropped dead one after another as we ran. I dodged and doubled as I ran, but was wounded and captured, and brought back to the post.

By Mr. PLUMB:

Q. How many guns and pistols did you have among you at the time of the outbreak?—A. I do not know anything about that. Those who had anything of that kind kept them concealed.

Q. Were you not disarmed when you were captured?—A. When we surrendered we gave up our arms to the troops and all the horses we had.

Q. (To Wild Hog:) Did you ever complain to the agent down there about not having medicine and medical attendance for the sick; and, if so, what was the agent's reply?—A. No; we never said anything to the agent about it; we used to send for the doctor, and he would not pay any attention, but we never went to the agent.

Q. Why did you not bring the matter to the attention of the agent?—A. Well, we considered that he looked with more favor on the Southern Cheyennes than on us, and we thought it would not be of any use to talk to him about it.

Q. Did you ever complain to the agent in regard to the lack of food?—A. We did so often, and tried to get more to eat, but it never did any good.

Q. How often did you complain to the agent about lack of food?—A. I do not remember how often.

By Mr. MORGAN:

Q. How many of the Northern Cheyennes who went down to the Territory are now living?—A. (By the interpreter:) He says it is pretty hard to tell. He asks me to tell you, because, he says, I can make the calculations better than he.

By the CHAIRMAN (to the interpreter):

Q. Do you know?—A. I think likely I can figure it up; at least can get at it more nearly accurate than he. He says fifty-eight died down there before they left. Then there are those that were killed up yonder at Camp Robinson; then there must have been about twenty died down there since they left.

The chairman put the question to each one of Wild Hog's five companions, whether he had heard and understood the testimony. Each one answered that he had heard it, and that it was all true.

OLD CROW.

FORT RENO, IND. TER., *Aug.* 19, 1879.

By the CHAIRMAN:

Question. To what tribe of Indians do you belong?—Answer. I am one of the Northern Cheyennes; I was born and raised in that country.

Q. Where were you born and raised?—A. In the Black Hills country; that is where my father told me I was born—in a camp among the Black Hills.

Q. When did you leave there to come here?—A. Two years ago last spring. I have passed two winters here, and came here in the spring.

Q. How came you to leave there and come here? We want to get at the whole history of the matter.—A. We were first told that we must leave there by Generals Crook and Mackenzie; they called us to a council, and informed us that the government had decided to remove them to this country.

Q. Go on, and tell everything that was said in the council and all that occurred up to the time you started to come down to this country.—A. They said to us, "You are to go to the south, and when you get there your condition will be much improved; you will have a better issue of provision; these old things you have now you can throw away, for you will have better goods issued to you than you have been having up here." They said, "When you get down there you will find the rest of the Cheyennes, the Southern Cheyennes, who have been living in that country for many years; it will be very pleasant for you all to get together again in that country, which is a very nice country; we will issue wagons to you and everything that will make you comfortable; everything will be pleasant for you down there." That is what they told us at that council, and we came down here on account of those promises.

Q. Were you present at the talks between the government officers and the Indians before the treaty was made, and did you take part in them? Did you hear what was said on both sides, or is this that you have just been stating what you heard from others?—A. I was present at the council, and heard all that I have told you, although I did not talk myself; I was one of the listeners at the council.

Q. Well, now go on and state what you found here, and what occurred after you got here.—A. As soon as we got down here we found it was

no such place as they had told us it was; we had not been here a month before a number of our people took sick and died; that was one thing we were dissatisfied with, at first. Then, we did not get the rations we expected; instead of the issue being better than we had up north, they were worse; there was not so much of them, and they were poorer; the principal part of it was corn. Besides, we began to lose our horses; they were stolen from us. Then the Southern Cheyennes became unfriendly to us; they quarreled with us, calling us Sioux; they asked us why we left our own country and came down here into their country; we could not get along with them.

By Mr. MORGAN:

Q. What season of the year was it when you arrived here?—A. It was about the middle of summer, or a little later.

Q. How long were you upon the journey?—A. We left our homes up there in May, and got here about midsummer.

Q. The treaty under which the Northern Cheyennes were removed south provides that five or more chiefs, or principal men, from each band, shall visit the Indian Territory under the guidance and protection of suitable persons, appointed by the Department of the Interior, with a view to select therein a permanent home for the Indians. I want to know whether any such delegation came from the different bands before the Indians were removed. Did five chiefs or principal men from your tribe come down here and look at the land, and make a report in regard thereto, before you—that is, the main body of Northern Cheyennes—came down?—A. There were two of our leading men came down here with the Spotted Tail Sioux delegation—Spotted Elk and Calfskin Shirt; they came down here in the fall.

Q. The fall before the Indians were removed?—A. Yes, sir.

Q. Do you know what report they carried back in regard to the country?—A. When they got back Broken Dish told the Indians——

Q. Who was Broken Dish?—A. That was another name they had for Calfskin Shirt; he told the Indians it was a nice country, and advised them to come down. Turkey Legs and Standing Elk also were in favor of coming down; they said, moreover, that it was the orders of the government, and we must come down.

Q. I notice here (referring to a report of the Commissioner of Indian Affairs) a reference to a talk between a Muskogee chief and the Sioux delegation, which seemed to have taken place in the eastern part of this Territory, down in the Creek nation; do you know whether this Broken Dish and Spotted Elk came to *this* part of the Territory, or looked at it?—A. They came right here, to this agency, where we were told we had to be removed to; they said they came here; I don't know where else they went.

Q. I would like to know what report they took back in regard to buffalo hunting in this country?—A. They reported that there were many buffalo here then, but by the way they were dying off, of some kind of disease, they didn't think they would last long.

Q. What did they report in regard to the health of the country?—A. They said there had been a great deal of sickness down here, among the Cheyennes and Arapahoes.

Q. When the Northern Cheyennes came down here, did they settle on the streams or out on the prairies?—A. When we first came here we camped for a short time on the river-bottom; but we soon moved up on the high ground. There were springs over here, on this road, and so we moved over here where we could get spring-water.

Q. How far from this agency do the Northern Cheyennes live now?

what is the greatest distance that any of them live, that are here?—A. The most of them have got together now for this medicine dance. Calfskin Shirt has been farming below this point of timber you see; and Standing Elk up the river, about five miles. Generally they live within five miles of the post here.

Q. How many buffalo hunts have you had since you came here?—A. We went out on one buffalo hunt the first winter after coming here, and that was enough; we went out, and could hardly get back; we could not find enough buffalo to keep us from starving, and had to live on turkeys.

Mr. PLUMB referred to the report of Agent Miles to the Commissioner of Indian Affairs, embodied in the report of the Commissioner of Indian Affairs for 1876, "which seems to indicate, in a sort of negative way that the Cheyennes secured thirty-five hundred buffalo-robes."

Mr. DAWES. That was before these Northern Cheyennes came here.

By Mr. MORGAN:

Q. I would inquire whether Indians have any aversion to bacon?—A. No, sir; they like bacon very much, but they don't get it very much, especially when there is a deficiency of beef; or when the beef is poor, we depend largely upon bacon for subsistence, if it can be obtained.

By Mr. KIRKWOOD:

Q. Which would the Indians rather have, a pound and a half of beef, or half a pound of bacon, to each person?—A. We do not like either so well alone; we like the bacon to cook with the beef.

Q. Ah! you would like a pound and a half of beef *and* half a pound of bacon?—A. They are not issuing now any bacon at all.

Q. I find it is provided in this treaty that whenever the Indians shall be located on lands which are suitable for cultivation, rations shall be issued *only to the persons and families of those who labor.* Now, did any of the Northern Cheyennes, after coming down here, go to work cultivating lands?—A. A few of them went to work, but very few; we were not told anything about that being in the treaty at all; we were only told that we should have plenty of rations issued to us, so that we should never be hungry. That was one reason why so many people died as there did; when they got sick they did not have enough to eat, or things proper for sick people to eat.

By Mr. PLUMB:

Q. I see it stated here, in a letter from the Commissioner of Indian Affairs to the Secretary of the Interior, dated the 23d of last January, that "in the fall of 1873 delegations of the Northern and Southern branches of the tribes"—referring to the Cheyennes and Arapahoes—"met in Washington, and effort was made to induce the former to *accept the cordial invitation of the latter* to share their reserve in the Indian Territory; but all overtures were met with decided opposition by the representatives of the Northern tribes." Do you know *why* the Southern Cheyennes asked the Northern Cheyennes to come down south and share their reserve in the Indian Territory?—A. I remember that time distinctly; I was one of the Northern delegation at Washington that is spoken of, representing the Northern Cheyennes; Whirlwind did extend a "cordial invitation" in behalf of the Southern Cheyennes, but Little Rogue did not; Little Rogue was not at all friendly.

Q. Who was the chief?—A. They were both chiefs at that time.

Q. Were there any other chiefs of the Southern Cheyennes at that time?—A. Yes; in addition to these, there was Stone Calf, and White

Horse, and White Sheaf, and Crazy Mule, and a young man who was not a chief, but who went there, whom they called "the Ree."

Q. Did you hear what the other Southern Cheyenne chiefs said on the subject? If so, what sentiments did they express in regard to the Northern Cheyennes coming down there?—A. The other Southern Cheyenne chiefs did not say anything about the matter—did not appear like they were enthusiastic on the subject. The authorities in Washington told us it would be a good thing for us to come down.

Q. Did the Northern and Southern Cheyennes meet there, in Washington, by previous agreement; and, if so, what was their purpose in meeting there?—A. We heard they were going to have a meeting in Washington; and when we got to the Union Pacific Railroad we got a telegraphic dispatch saying the Southern Cheyennes had got there, and telling us to hurry up.

Q. Then you went there intending to meet them?—A. Yes, sir.

Q. When was this?—A. Seven years ago.

Q. What was the purpose of that meeting; what did you go there to see about?—A. That was the only subject that was talked about that I remember; at least, the only thing that was talked about *particularly* was the bringing of the Northern Cheyennes down here.

Q. What I want to get at is this: When you started to go to Washington to meet the Southern Cheyennes there, what purpose did you have in mind?—A. I did not know what was to be talked about; I was away from the others. When I was sent for I was up at Fort Laramie; I went to Washington, where I met these others; and this removal of the Northern Cheyennes to the south was the main thing they talked about. Dull Knife and Little Wolf did the talking for the Northern Cheyennes. The government advised us to come down. We said, wait till we can go back and see our people, and find out what they think about it; then it *may be* we will decide to go down. I would not say in Washington that all our people would go down; I said, "We will talk to our people about it, and see what they say."

Q. How many buffalo did your people kill when out on that hunt the winter after you came here? How many robes did they save?—A. I could not tell how many they got in all; I did not get any, and I know the most of them did not get any robes at all.

Q. Did you kill any buffalo fit to eat, but which did not furnish robes?—A. (Apparently not understanding the question.) Some camps got one, or two, or three, some possibly as high as half a dozen buffalo; others got none. They had to scatter to get buffalo, because they were scarce.

Q. Have you had any farming implements—hoes, plows, &c.—issued to your people since you came down here?—A. They didn't have anything of that sort to issue to us when we came down here.

Q. Have they at any time since issued farming implements to the Northern Cheyennes, or to any of them?—A. I learn that since I went away a good many of those who remained have had such things issued to them.

Q. How many?—A. I cannot tell how many. Since I was liberated I have only been right over here at my own camp, and have not been around among the other Indians.

Q. Had you ever asked to have ground broken or agricultural implements furnished you prior to the raid of last year?—A. They would never give us anything up to the time we left, and had not broken up ground for any that I ever heard of; I have only noticed that since coming back.

Q. Do you know of any one having asked to have ground broken up or farming implements issued to them?—A. Before I went away I know that some of those who staid were willing to go to farming; none of those who went away were willing. I think that some of our people who did not go away had already commenced farming.

Senator MORGAN called attention to the fact that no title to the lands is conferred by the treaty upon the Indians who may cultivate them. Considerable conversation ensued among the members of the committee, and different articles from several treaties were read, after which the examination was continued.

By Mr. MORGAN:

Q. Do you know any Northern Cheyenne Indians, the head of a family, making application to the agent to be located on any particular reservation of land, and to have a paper showing what his reservation is?—A. I have not heard of any one making any such application; I know that the majority of them have not wanted anything of the sort; they did not feel permanently located here; they did not want to feel so.

Q. Are the Northern Cheyennes, who are here now, still desirous of going back, or are they willing to remain here?—A. I know that the most of them, and I think that all of them, would rather go back north than to stay here. I do not know of any who would go unless allowed to go by the government; but they would rather go. Those who went back north wanted to go back peaceably; they applied to the agent to be allowed to go, but he paid no attention to their request; after making repeated requests and receiving no answer nor attention, they left.

By the CHAIRMAN:

Q. Are those who remain becoming more reconciled the longer they stay, or are they becoming more dissatisfied the longer they stay?—A. Some of the so-called Northern Cheyennes are reconciled to this country, but they are in heart Southern Cheyennes; they are Indians who had been here before, and gone backward and forward until one place is as much a home for them as the other. They are not really Northern Cheyennes.

Q. How many of that class are there in all?—A. I know of some ten or twelve families; I don't know how many persons that includes in all, maybe a hundred.

Q. If land should be broken, plowed, and farming implements furnished to these Northern Cheyennes, would they be willing to go to work farming here?—A. The greater portion of them would not; they do not wish to work at farming, even if the land were broken for them. It has never been their way of living; they do not understand it, and it does not come natural to them.

Q. Suppose the government would furnish cows, a certain number to every family, in proportion to the size of the family, would your people take care of them and raise their stock, so that they would in time to come have cattle to feed on? Would they go to raising stock, or would they kill the cows when they got scarce of beef?—A. I think if cows were given them in that way, with that understanding, our people would not kill them; there might be once in a while one who would be foolish enough to do so, if very hungry; but I think the most of them would keep them.

Q. If in addition to the rations at present issued every family of five persons were to receive five cows, or four cows, would they be willing to live on the rations they have until the increase of the cows would enable them to live comfortably?—A. If the rations now allowed by the government were actually issued, I do not think the cows would be killed;

I think the most of the Indians would be very glad to have such an arrangement made; it would tend to make them reconciled to staying in the southern country.

Q. If they could only wait patiently for three or four years, four or five cows to each family of five would give them a herd of fifteen or twenty cattle, and they might then begin to use the steers?—A. (After consultation with a couple of his comrades.) We have been thinking it would be a good thing to have, once in a while, a bull among them.

By Mr. PLUMB:

Q. Have they ever been forbidden to hunt, or are they permitted to hunt as they desire by going away?—A. There is no trouble about getting permission to go to hunt.

Q. Now, about the complaints of these Indians that went away: state, if you know, whether they made any complaint about lack of medicine for themselves or their children, or the services of a doctor for the sick generally; whether they ever asked for medicine that they did not get, or for the services of the doctor and did not get them; and if so, what reason was given why the doctor did not attend them, or furnish medicines?—A. The doctor used to send them medicines, and sometimes come and see them when they sent for him; but he did not do them any good. When they could get the Army doctor from the post here, he was generally more successful.

Q. Was there an unusual amount of sickness compared with what they had at the north, or sickness of a different kind from what they had up there?—A. They were always very healthy up there; they never were troubled with sickness as they were here at all; there the weather was cooler and they had good water to drink, and everything was better up there.

Q. How many of your people—the Northern Cheyennes—died?—A. I could not tell exactly, but there were upwards of fifty died.

Q. How long had the two tribes, or the two branches of the same tribe—the Northern and the Southern Cheyennes—been separated from each other, and what caused the separation; was it caused by any enmity between them, or did they just accidentally drift apart?—A. That is something I don't know anything about myself; it happened before I was born, and I am fifty years old. When I was a boy, more than forty years ago, I remember of parties leaving the country up there then to come down and join these Southern Cheyennes; the first Cheyennes must have come down here more than a hundred years ago; I have heard my father say that as long ago as *he* could remember there were some Cheyennes living down here on the Arkansas.

Q. There never was any war between them?—A. No, not that I ever heard of.

By the CHAIRMAN:

Q. How many Northern Cheyennes came down here in the band with which you came down?—A. A great many; I cannot tell the exact number.

Q. There were as many as a thousand, or more than that, were there not?—A. About a thousand, I should think.

Q. How many of those that came went back?—A. I think about three hundred and fifty, counting men, women, and children; it may be more than that.

Q. Was there any trouble between those who went away and those who staid? I am speaking of those who came down here from the north. Did those who went away get into any quarrel or trouble of

any kind with those, or any of those, who remained here?—A. There was some quarreling; some of those who remained quarreled with some of those who went away.

By Mr. DAWES:

Q. Why didn't the rest of the Northern Cheyennes go away?—A. They hadn't any horses to go with. That was the principal reason why they staid.

By the CHAIRMAN:

Q. Did those who went away camp off by themselves, at a distance from the other Northern Cheyennes, before they started?—A. Those who went away got by themselves at first; then these others, when they found we were going north, said we had thrown them away—given them to the Southern Cheyennes.

Q. I see, in Agent Miles's report to the Commissioner of Indian Affairs, that "the Northern Cheyennes transferred to this agency brought with them, and had in their possession, over one hundred Springfield carbines with them," which they concealed. Did you give them away or did you bring them down here?—A. When they came in, after having been at war at the time of the Custer fight, and surrendered to General Mackenzie, they gave up their arms and horses; but they were given a good many of them back again to hunt with—both horses and arms—and those guns were the guns they brought down here.

Q. Were those the arms that these men had when they started north?—A. When we were removed down here we had to give up our arms, and they were not given back to us any more. The arms we had when we left to go north again were arms we bought from the other Indians around here, who came here trading. The Pawnees, Sacs, and Indians of other neighboring tribes used to come here to trade, and we used to buy arms from them.

Q. State how many fighting men started north, and whether they were all armed; or, if not, how many of them were armed.—A. Fifty or sixty armed young men started north who had guns when they left here; they were all killed.

Q. Give a full account of the trip north and what occurred.—A. After leaving here, we started directly for our old home; we had no purpose to fight anybody, nor hurt anybody, nor injure anybody's property on the way. We had camped out three or four nights when we were overtaken by the United States troops; they sent an Arapahoe out ahead to talk with our Indians; the Arapahoe told our Indians that the troops had come after them to take them back to the agency. Little Wolf answered for our Indians that we did not want any trouble, but we did not want to go back to the agency; that we were willing to plow and work at farming, to give up our children to go to school, to do anything, but we wanted to do it in our own country. We told them that we were afraid to go back; we were afraid that if we went back we should all die of sickness; that we did not want any trouble with the soldiers; we wanted them to go back and leave us alone to go peaceably on our way to our northern home. The Arapahoe, who had been sent on ahead to talk with us, then went back to the soldiers. Then the troops fired on us. We moved on from there, and afterward were again attacked by the troops several times. In every case we were attacked. These attacks continued until we got up to the creek where we had the last fight with them—the creek, I don't know the name of it—this side of Smoky Hill. We were not overtaken after that, and I did not see any more fighting till we got to Camp Robinson.

Q. Do you know what Indians killed the settlers along the route, and stole horses, and committed other depredations?—A. I don't know what young men killed the settlers; all the fighting young men I knew of were killed.

By Mr. PLUMB:

Q. How many horses did you start from here with?—A. I think we must have had between four and five hundred when we started from here; but when we were chased by the troops our horses soon began to give out; and a good many of them were killed by the troops.

Q. Do you know where your Indians first encountered any cattle-camps—camps of cattle-men, and what took place? Whether any of your men killed any of the herders, or any of their cattle or horses, or took any horses?—A. I think the first we saw any cattle was on the other side of the Cimarron; I do not know where they first killed any herdsmen, if they killed any.

Q. Do you know about any cattle, or any herders of cattle, being killed at all?—A. I did not hear of any being killed.

Q. Do you know of any horses being brought into your herd about the time of coming to cattle camps?—A. I noticed the young men bringing in fresh horses pretty often, after getting the other side of the Cimarron.

Q. Did they continue to get fresh horses from there on, until they got to the Platte?—A. They brought in fresh horses every once in a while, all the way, until they got the other side of the Republican; I know of two horses being taken from a couple of boys about the Beaver Fork of the Republican.

Q. What became of those horses?—A. When we surrendered at Camp Robinson the horses were all given up to the military there.

Q. Where did the young men begin to bring in guns and revolvers, in addition to those they had when they left here?—A. I did not notice anything of that kind at all; I noticed the horses being brought in, but I did not notice any extra guns or revolvers at all.

Q. How many buck Indians went away at the time that party left here?—A. Of full-grown men, fighting young men, there were not over sixty; including the old, and the boys nearly grown, there may have been ninety.

Q. How many were armed at the time of the fight with Captain Rendlebrock, at the Dodge, and at the time of the fight with Colonel Lewis south of the Smoky?—A. Between fifty and sixty; certainly not over sixty were armed to fight.

Q. Where did you first notice that the young men, or any portion of your party, were bringing in blankets, clothing, household articles, &c., along the line; and how long did that sort of thing continue?—A. The first I noticed anything of goods belonging to white settlers being brought in, was after we passed the North Platte; I suppose they got them before, but concealed them.

Q. Did you know or did you hear of anybody being killed by any persons belonging to your party?—A. None of those who may have committed murders ever told me anything about it; I used to keep advising them to behave themselves as they went through the country, telling that all we wanted to do was to get north; that we wanted to commit no depredation; and the young men who committed depredations and did mischief, never told me anything about it; they concealed it from me.

Q. When was that buffalo hunt of which you have spoken?—A. In the early winter of the same year that we arrived here. (Explained by interpreter—"the winter of 1877-'78.")

By Mr. DAWES (to interpreter):

Q. Was he among those who were taken prisoner at Camp Robinson?—A. He was; he was one of the three that were put in irons.

Q. (To witness.) I wish you to relate the whole story of what occurred at Camp Robinson, in your own way, from the time you were taken there in the snow storm by soldiers, until you broke away.—A. The soldiers met us between Snake Creek and White River; they had Sioux scouts with them, through whom they communicated with us; we surrendered to them and were taken to Camp Robinson; there we gave up our arms and horses, and they gave us something to eat.

Q. Did you have anything of your own to eat when you surrendered?—A. When we surrendered we were out of everything to eat; we had been eating our horses that had given out.

Q. Did you have many horses still on hand?—A. We had about a hundred yet.

Q. After surrendering and giving up your arms to the soldiers, what did the soldiers do?—A. We surrendered and gave up our arms and horses before we arrived at Camp Robinson; we were put into wagons and hauled there; after getting there we were put into a large building; then another detachment of soldiers started out from Camp Robinson to hunt for the remainder of the band that were still missing—for Little Wolf's band; I was taken out with them; although a prisoner, I had to accompany them as guide and interpreter to help find the other Indians, and to communicate with them when they were found; I suffered considerable hardships, for the weather was very cold. They made use of me in that way for some time, and then took me back to Camp Robinson.

Q. Go on with the story; tell what occurred after you got back to Camp Robinson.—A. We were confined in the guard-house for some time; it was in the winter or very early spring; the winter was about breaking up, but it was very cold yet. One day the officer in command sent for me to come out, saying he wanted to have a talk with me; I saw there was a row of soldiers outside under arms, and at first I refused. Then they called for Hog and he went out; then I went out, too; we both were barred into a room like this, where there were writing materials; pretty soon the soldiers made a break for Hog; there was something went on that I didn't see very well, some sort of a scuffle, and the soldiers surrounded Hog and ironed him. I heard afterward that in the scuffle one of the soldiers was stabbed by Hog; I was myself sitting on a chair, with a soldier guarding me; when I saw that they had Hog ironed, I said, "Come on and iron me, too;" I let them iron me without any trouble.

Q. Did they tell you or Hog what they wanted you to come out for?—A. As soon as we went into the house they told Hog that we were to be sent back south; that was as far as we heard; then they made a rush and proceeded to bind us, and put irons on us. After they began to iron us, Left Hand and an old man there, a big fellow, came in and told them to put irons on them too; they said to the soldiers, "If you are going to iron them, iron us, too;" and they did. Then they took us away; we were not with the others when they broke out.

Q. Tell all that you know about their breaking out.—A. They took us four away, and confined us in another place. Later on, about sundown or a little before, they told us to come out and call for our wives and children who were with the others in the big building; we went and called out, and got our wives and children, and they went away with us. I had not got asleep that night when I heard a noise of firing

up where the main body of Indians were confined; I did not see that fight at all.

Q. Relate all you afterwards heard from the Indians who did participate in that fight, in regard to the matter.—A. I heard that after those who had been left behind heard of our being ironed and taken away, and our relations taken out and placed with us, they were in great fear and trouble, not knowing what would follow or what might be done to them; and the young men of the band said, "Let us never go out and give up to these people, to be taken back south to the country we have run away from; we have given up our horses and our arms, and everything we have, and now they are starving us to death; we have been without food and fire for seven days; we may as well die here as to be taken back south and die there." So they would not come out; the soldiers wanted them to come out, so that they could seize them and take them south. That was the way the Indians yet in the guard-house were talking during the afternoon. But they kept on talking the matter over, and by night they had made up their minds differently. They said, "We have got to die, but we will not die here like dogs; we will die on the prairie; we will die fighting." And then they made their arrangements to escape or die in the attempt. Dull Knife and his son were the first to rush out; then the troops immediately fired on them.

Q. Was there any arrangement before you and Wild Hog were put in irons to break out?—A. There was no desire to fight or to break out on the part of the Indians confined there, before they heard of our being seized and ironed; on the contrary, when the Little Wolf party split from us, before we gave ourselves up to the Camp Robinson troops, all those who did not think they had had enough of war separated from us and started up to go to the Little Wolf band; and we had determined to give ourselves up to the troops at Camp Robinson and behave ourselves; that was the understanding up to the time we were taken out and ironed.

Q. How came those Indians who broke out to have arms to fight with, and fire upon the soldiers with, if they had surrendered all their arms when they were taken and put into this house?—A. They pretended to give up all their arms, but I heard that some of the young men had arms; they must have concealed them in some way.

Q. State, if you have ever heard, what became of those Indians that broke out, after the fight ended?—A. A great many of them were killed that first night when they broke out. The next morning one of the officers came in and said he had had a fight with them and had killed a great many; he asked me if I would like to see their dead bodies; I said I would; I went out to the wagon with him and saw there the dead bodies of a great many men, women, and children. I afterward heard that all the rest of the men were killed, and the women and children taken prisoners.

Q. How many women and children did you see lying there, killed, at that time?—A. There were twenty-two women and children.

Q. How were the Indians treated while in confinement at Camp Robinson, up to the time that you and Wild Hog were called out and put in irons?—A. Before we were told that we had to go back south, and answered that we didn't want to go back south, we got an abundance of food—more than we got here from the agent; after that our food was cut off altogether.

Q. What was said when that order was issued, and what did you say?—A. We were told that we must come south, and if we did not agree

to come south, they would quit issuing rations to us. Dull Knife answered that we ran away from the southern country because we were afraid to die of sickness, and that we might as well die where we were as to go back south and die there. Then they quit issuing.

Q. Did they stop your rations altogether?—A. Yes, entirely.

Q. Did they stop your fuel, too?—A. They did not give us either wood or water.

Q. For how long a time?—A. For six or seven days.

Q. Had you good clothing?—A. We had some clothing, but not much; we had not been suffering from cold very much; it was not very cold weather just then, and the house we were confined in was a pretty warm one.

Q. Had you any food to live on, independent of those rations, in those days?—A. We were without anything whatever to eat. One could tell by looking at the bodies of those who were killed, and those who were brought back prisoners, that they had been nearly starved to death, they were so emaciated.

Q. Did you make complaint that you were starving to the Army officers there?—A. We did not tell them that we were starving; we knew that would not be of any use; for the soldier chief told us, through the interpreter, that he was going to starve us; the soldiers knew that we had nothing to eat; our people said, "You can starve us to death; we would sooner die than go back south."

Q. Did the soldiers come into the room where your people were confined while you had no rations?—A. None of them entered; they walked close outside, but did not come in.

Q. Were the Indians peaceably disposed during those days, up to the time when you and Wild Hog were seized and put in irons?—A. Everything was quiet; they did not do anything but sleep, and try to pass away the time as well as they could, for they had nothing to eat.

Q. Did they not tell you that if you would agree to go south you should have rations again?—A. Yes; that is what they told us.

Q. How have you been treated here, at this agency, since you came back to the south?—A. Personally I have had no trouble; no quarreling, or difficulty with anybody; I have staid pretty much at home, and not mingled with either the white people or the Indians; but I don't like it here any better than I did before. As for ratious, if there is any difference, there is not as much issued now as there was before we went north.

Q. Do the Southern Cheyennes treat you well?—A. They do not trouble me; but, as I have just said, I do not have any communication with them.

Q. Do the government officers treat you well?—A. I have had no trouble with any of the white people since I came back here; I have been out only a few times since I came back; I have not asked the agent for anything; I have received my rations, but they have been drawn by the women; I have just remained home and kept quiet.

Q. What is the matter with the rations, that they are not as good as they were when the Northern Cheyennes first came here?—A. The only difference has been, since I came back they have been out of some articles, more than they used to be when we first came here, till the last one or two issues. They have lately got a lot of sugar and coffee; and just now they are issuing flour again. They were without flour a long time, and without coffee a long time, since I have been released.

By Mr. MORGAN:

Q. How long were they out of those articles?—A. I could not tell you

ow long; they had none when I got back, and had none for awhile after I came back; but they are all right now.

By Mr. DAWES:

Q. Have you any fault to find with the beef that is furnished now?—A. The only fault, or the main fault, with the beef now is that it is not fat.

Q. Did they have any better beef up north than they have here now?—A. The cattle were always in a better condition up north, at the Red Cloud Agency, where we used to belong; the grass was better, and so the beef kept in better condition on that grass. We also received better issues of bacon, and everything else, nearly, up there than we do down here. The tobacco we get here is about an inch off from the end of a plug, while there we used to get half a plug for the same number of people.

Q. Is there any other fault you have to find with matters here?—A. Another thing is, we are allowed to trade only at one store; there is no competition, and so we are charged exorbitant prices for everything we get; and on the other hand, we get very small prices for our beef-hides. I think we should be allowed to trade at the post trader's.

By Mr. MORGAN (to the interpreter):

Q. How came they to have hides to sell?—A. The beef is issued to them on the hoof; so they have the hides; they sell them for two dollars a hide.

Q. (To witness.) Are the same rations issued to the children as to the grown people?—A. Yes; the rations are issued to all alike.

By Mr. PLUMB:

Q. How often do they issue flour?—A. Once a week—every Monday, but they have been out of flour a good deal of the time.

Q. Do you get any game?—A. There are a good many deer, and a good many antelope and turkey in the country, but ammunition is very hard to get to hunt them with.

Q. What do you do for guns to hunt them with?—A. There are a good many guns among the Cheyennes here; we always have guns.

Q. Do you have to buy ammunition?—A. Yes, sir. (The interpreter adds, "I do not know how they get their ammunition; they are not allowed to buy it out of the store.")

Q. (To the interpreter.) Do they get money from the government or from any source except the sale of hides?—A. The only way they have to get money is from the sale of beef-hides, and sometimes a buckskin, and what little things the women make to sell—moccasins, &c.

By the CHAIRMAN:

Q. Is there anything more you would like to say now before the examination is ended?—A. I do not know that I have anything further to say, only that I am here now after undergoing a great deal of hardship, and I am willing to stop wherever the government wants me to, whether south or north; I will stay in whatever country the government tells me to, whether good or bad, though I do not like it here.

Q. What is the matter with this country that you do not like to stay here?—A. I do not know that I can say any more than I have already said to the committee, that I love the country in the north where I was born; besides, everything there is better; the water is colder, purer, and better to drink; the climate is pleasanter and healthier; it is a better hunting country than this. Almost all my relatives and friends are up there; I have a mother up there yet, and I have a daughter up

there who is married; and I must live separated from them all the rest of my life.

Q. Cannot they come down here?—A. My daughter is married to a white man up there.

By Mr. PLUMB:

Q. State whether the Northern Cheyennes that have been removed down here still have relatives left in the north, and whether that removal has necessitated the dividing of families.—A. The Northern Cheyennes who have been removed down here have relatives at Tongue River, and on the Yellowstone and the White River, and all through that region. The old people up there have children down here; the young people up there have parents down here; the women up there have brothers down here; and our families are all split up in that way by this removal.

Q. Does that result from intermarriages between the Cheyennes and the Sioux?—A. Only in part from that. There are a considerable number of Cheyennes at General Miles's place; there are fifty-six or fifty-seven women and children belonging to the Dull Knife band, who were captured up there and given to the Red Cloud Sioux. Then there are two hundred and sixty Cheyennes at Tongue River who have relatives here, and these Cheyennes here have relatives among them.

Q. You say you expect to stay here; what do you expect to do here—farm, hunt, fish, or what? In what way do you expect to occupy yourself?—A. I expect to go to farming, and try to do something to help myself.

Q. How do you expect to get your land broken, to obtain farming implements, &c.?—A. I don't know; I have got nothing, not even a single horse; I came down here afoot; I don't know how to do it, but I want to do it, if I can. I was at a council where Mr. Mohler told me that a wagon would be furnished me; I don't know how that is. I did not feel like doing anything for awhile, because I had no heart; I did not want to be in this country; Iwas all the time wanting to get back to the better country where I was born, and where my father was born and is buried, and where my children are buried, and where my mother and my sister and other relatives yet live; so I have laid in my lodge the most of the time, with nothing to think about but that, and the affair up north, at Camp Robinson, and my relatives and friends who were killed there. But now I feel as though if I had a wagon and a horse or two and some land I would try to work. If I had something, so that I could do something, I might not think so much about these other things. As it is now, I feel as though I would just as soon be asleep with the rest.

By Mr. MORGAN (to the interpreter):

Q. Did he lose any children in that fight at Camp Robinson?—A. He had a niece killed up there, and other relatives; and he has children of his own, who lie buried in that country. The oldest man present in that party at Lawrence had five sons killed in that massacre, and six women and children of his family and theirs besides, making in all eleven of his immediate relatives who were killed.

By the CHAIRMAN (to the interpreter):

Q. Is there anything more that the witness would like to say?—A. The interpreter held considerable conversation with the witness, which the former finally summed up as follows: He hopes that you will interest yourselves in behalf of those people who are confined at Lawrence,

ıave them released; he says they personally did not commit any lers or depredations, and have been confined a long time; their le are greatly troubled about them; the oldest man was not able ı any harm anyhow, for he is only a child. He says, in conclusion, u cannot get the agent to let him have a wagon and a team of horses ork with, he wishes you would try to get him a pony to ride on, as ı getting too old to run around on foot.

POWDERFACE.

FORT RENO, IND. TER., *August* 19, 1879.

owderface, Tall Bear, Cut Finger, and Big Mouth, representatives he Arapahoes, appeared before the committee, and the first named, n invitation, spoke in behalf of himself, his companions, and his e, as follows:

/hen I heard that a delegation of chiefs had come from Washington ee the Indians, I felt very glad, because I supposed they had come he interest of the Indians, to see how they were situated, and wheth- nything could be done to better their condition; so I was glad to them; I have been to Washington twice, and saw the President and Commissioner of Indian Affairs, and the talk we had I have never ;otten; the advice and instruction they gave about what they wanted to do I have always followed; the promises I made them I have ays adhered to. I am glad you have come here, for now you will that the Arapahoes are living as they promised the Great Father Vashington they would live.

/hen I was a boy, still a little child, the country which the Southern ıpahoes claim as theirs was north of the Arkansas River, from there he Republican River and back to the Rocky Mountains. That was country my father lived in. That was all the country I knew any- ıg about until I was nearly grown, almost a young man. I knew hing about this country down here then. I grew up, as a young ı, to consider myself, as all young Indians do, as a warrior, thinking t the main thing for an Indian to be was a good warrior and hunter. ile still a young man I went out on all the different raids with the s, the Pawnees, the Crows, and the Snakes.

ı those days the buffalo roamed in countless numbers all over the ntry. The Indians never felt the want of food; if they got hungry wanted anything to eat, all they had to do was to kill a buffalo. Great Spirit had given them everything an Indian needs—plenty rass for their horses, plenty of game for food; they did not want anything.

was brought up a warrior; and took pride in being a good warrior. ıd a great many fights with other Indians.

hen the whites came into our country. The whites wronged us; ; were the first to commit a wrong, before we had ever injured them; :, it was not a very serious wrong. They crowded us out from the ntry we had been roaming in most, and moved us down toward the ds of the South Platte and the heads of the Republican. Then the te people crowded upon us again, and gave us a reservation in the 'gatoire country, and told us that was to be our home. But after- d we were taken away from there and brought here, and told that ı was to be our reservation; and we have been in this country ever ce the war of 1868.

Since that time I have been the head chief of the Arapahoes. In 1871 I was sent for to go to Washington; then the head men of the government at Washington laid out the present reservation. The Arapahoes were told to remain at the agency here, and were promised that this should be their reservation forevermore. The government wanted them to settle down here and live as the white men did; they promised to do so; and all the pledges that we gave we kept; now that you have come to visit us, you will find that we have not thrown one of them away.

By Mr. MORGAN:

Q. Who participated in the war of 1868?—A. The Arapahoes, the Southern Cheyennes, the Comanches, and the Kiowas.

Q. Where were you located at the close of that war?—A. We were kept for a while at Camp Supply; in 1870 we were brought here; in 1871 I went to Washington, and was told that our agency would be here; when I came back here I told the Arapahoes and Cheyennes what I had been told in Washington, and that the Great Father had given me a good road [explained by the interpreter, "pointed out a good path to walk in"], and I meant to keep it. Although God intended the buffalo for the Indians, and they used to be what these Indians relied upon for subsistence, and although the white people have crowded out the Indians and killed off the buffalo, yet we hold no unkind feelings toward the white people; we intend to obey the advice of the government and live as the white men are living. The Indians and their children all belong to the same Great Spirit as the white people and their children; hence the best thing the Indians can do is to learn the white man's road, and to do as the white people do for their children as they grow up. It is hard for old Indians to break up the habits which they have followed for all the years of their life and become like white men; but we intend to raise our children in the white men's road, so that they can earn their living as white men do. I know, because I have been to Washington and have seen the great power of the white people and the great numbers of them, that the only thing for us to do is to live at peace with the white people and become like them, and bring our children up to live like them. That is the only way the Indians can get along.

By Mr. MORGAN:

Q. Are you and your tribe, the Arapahoes, satisfied with the Northern Cheyennes coming down here?—A. I intended to speak of that as I got along to it.

Q. Well, proceed in your own way; I thought you were through.—A. When we first came here and were assigned to this agency, they had here an old general named Darlington; he died, and then Mr. Miles was assigned here, about 1871 or 1872; then I went to Washington with a delegation of Indians, Arapahoes and Cheyennes; after getting there, a delegation of Northern Cheyennes and Northern Arapahoes also arrived there. We were told by the Commissioner that he wanted us to give our children to the agent to be instructed in the school; the agent went there, to Washington, with us; we promised that we would give our children up to the agent to go to school; we told the Commissioner we had no objection to giving up our children to the agent to be sent to school. Then the Commissioner said that he would have houses built for us, and would give us cattle, and hogs, and chickens, and other things to start us on the white man's road. The agent was there at that council and heard what was said by the Commissioner about what was

going to be furnished. A long time has passed since then. I have repeatedly been to the agent and have asked him "When are you going to give us those horses, and those cattle, and those hogs and chickens? When are you going to build us those houses? When are those other promises going to be fulfilled that were made us when in Washington?" But no attention has been paid to what I have said; he pays less and less attention as the years go by, and now appears to care less than ever for our wants. We ask for the fulfillment of those promises in vain. If they had not intended to fulfill them they ought not to have made them; then we would not have been all the time expecting them and felt disappointed, and as if we had been wrongly treated when we failed to get them.

When I went to Washington I was well treated; they gave me presents, and they promised me that the agent would be furnished a lot of annuity goods to be distributed among my people. The goods were afterward sent here; they were brought to this agency in wagons; they were seen to be here; but instead of issuing them the agent has hid them away; he stowed them away, and used them in the mission; some of them are used up, and some of them are there yet. Those goods were brought here, according to promise, to be given to the Indians. Moreover, from time to time, at the yearly issues, a part of our annuities have been stolen from us—misappropriated—issues that we were to get every year, since that talk in Washington.

Instead of getting additional rations as we were promised, our rations have been getting worse and worse every year. When we first came here we got along with the beef and other rations without getting hungry, but from year to year they have grown less and less, as well as poorer and poorer, until now we are hungry all the time. The principal trouble is with the beef; it is poor, and there is not nearly enough of it. The Cheyennes and Arapahoes have talked about it; they met together and consulted upon the subject; they thought it would be good to speak to the agent about it; they thought the agent was the one to speak to first, and they selected me to speak to him about the matter. I did so. I told the agent it didn't matter so much about the issues of sugar and coffee and flour being small if we could only have enough beef to eat; we eat all the beef that is now given us in two or three days, and then for the rest of the week we do not have any.

By the CHAIRMAN:

Q. When was this conversation?—A. I have talked with him about it often, from time to time.

Q. Lately?—A. Yes; only a short time ago. I have repeatedly spoken to him about having houses built. Quite a number of the Arapahoes and Cheyennes want to do as the Commissioner told them to do—to try to farm, to raise corn, and so on—but a great many of them have not been able to get plows; a large number of them want houses, but cannot get them. And matters are getting worse all the time. For the last month we have been getting less beef than ever before; forty or fifty persons get only one beef for a week, when awhile ago a beef was given to every twenty or thirty persons.

Q. Are they not heavier than they were before?—A. That must be the way of it, but they, the Indians, do not take that into consideration. Another evil that results from this way of letting so many of them, all together, have one steer, is this: When one ox is killed for a company of say forty-five persons, they try to arrange so as to have just about that many in a neighborhood; now if a part of them are not there, if

four or five of them are camped out somewhere else, they can't get in with anybody for this beef, and are entirely left out; they get none at all.

Q. Would you prefer to have the beeves delivered to the chiefs?—A. No, sir; I was going to say that for some reasons it would be better to have smaller beeves; it would be handier dividing them up; it is not handy to gather for meals, for one beef, to the extent of forty or fifty Indians, as they are scattered around all over the country. Another thing is, the cattle ought to be kept of one standard—as nearly as possible of the same size; when one day a steer is given out that is large enough for forty-five persons, and the next one is only large enough for thirty or thirty-five, the company, as it was before, has to break up; the extra ones are not enough to form into another company that can have a steer of its own, and there is great trouble and confusion sometimes in their so arranging themselves as to get their rightful share of the beef. Another reason why the Indians rather have smaller cattle is, they utilize the whole thing—all the offal, the insides, as well as the hide, which belongs to them and which they sell; and there is a larger percentage of that sort of material in a small animal than in a large one.

Q. Has he not got along about to the point where he is going to speak of the coming of the Northern Cheyennes? (This to the interpreter, who translates the suggestion to the witness.)—A. Yes; the Northern Cheyennes came down here, after traveling a long journey; after two or three issues, they found that the rations were not such as they had been promised they were to get, not even so good as they used to get up north; they had a talk about it with the agent, but that did no good; they soon began to get discontented and to talk about going back north.

Q. What did the Arapahoes desire about that; did they want them to go back or to stay here?—A. They got along very pleasantly with the Arapahoes; the Arapahoes were very glad to see them; as soon as they got down here we began inviting them to our feasts; we went visiting each other, and were on first-rate terms; but after a little the Northern Cheyennes got dissatisfied about their rations and scared on account of the sickness that happened to be here that summer.

Q. How did the Southern Cheyennes receive them?—A. I did not hear of any disagreements between them; I know the Southern Cheyennes extended an invitation to the Northern Cheyennes to come down to this country and live with them. The first trouble or cause of discontent that I heard of was their food, and afterward the sickness that occurred among them.

Q. What do you consider to be the Cheyenne and Arapahoe Reservation secured to them by the treaty?—A. The Commissioner told me that the Arapahoe Reservation was to be all the country between the Cimarron River and the main Canadian, and extending from where the cattle-trail crosses the Canadian and Cimarron to the other side of Camp Supply. (Explanation by the interpreter—"meaning the one-hundredth meridian.") The Cheyenne country was to be separate; they were to have another reservation. Their reservation was to extend from the Cimarron River to the Kansas line, the Cimarron being the southern line. This would run their reservation to a point at the place where the Kansas line crosses the Cimarron, and leave them a three-cornered place between the Cimarron and the Arkansas. This is what I was told; it was merely talked of, I understood; I never knew whether it was actually settled that it should be so.

Q. Who came here first, the Cheyennes or the Arapahoes?—A. They both came here together.

Q. Are any of the Arapahoes living in the Cheyenne Reservation—in that region between the Cimarron and the Arkansas Rivers that you say you understood was to be their reservation?—A. There are no Arapahoes on the other side of the Cimarron, and I do not know of any Cheyennes over there; they have both been staying here together. When the Cheyennes began to farm here—to raise corn in this country—it did not look right to me; for I understood that this was our country, the Arapahoe Reservation, and that the Cheyennes were to have a separate reservation up there.

Q. Are any of your people raising corn in this country and settling down to farming?—A. Nearly all the Arapahoes are engaged in farming to a greater or less extent.

Q. Have they got lands set apart to them by the government, and papers to show that those are their lands?—A. None of them have any papers to show for their lands; no land is assigned to them in that way, at all; they just go and pick out a place and tell the agent they are going to farm there, and stick up a sign so that people can see that they are farming that place; that is all.

Q. Have you been trying to raise any cattle; and, if so, what success have you had?—A. Some few of the Arapahoes have cattle of their own; I have more than any other Arapahoe.

Q. Has the government ever furnished the Arapahoes, or any of them, with agricultural implements?—A. Yes; it has furnished some of them with plows and hoes and harness; there were not enough harness furnished to go with the plows, and they had to borrow from one another.

Q. Do you raise any horses and mules?—A. Some of them have a good many ponies, but very few of them have mules; here and there you will find an Indian with one or two mules. The most of them do their plowing with ponies, and they have a hard time doing it; they are green at it, they do not understand breaking; but still they manage to get along in some way, and do the best they can.

Q. Do they succeed in raising good crops?—A. This year a great portion of the crop has failed on account of there being no rain; here and there in places, where the ground is not so dry as it is in other places, there is very good crops.

Q. Have you ever tried to raise wheat?—A. The government has never issued any wheat to us so that we could have any for seed. While we have complied with all the requirements of the government, and done everything that has been demanded of us, the agent has paid no heed to our wants, nor given any attention to our requests; all his promises have failed. The Arapahoes are trying to live in the best way they know how, at peace with everybody, doing whatever the agent demands of them; when the agent asked them to get wagons and pay for them by hauling supplies from Wichita, when they had to make three or four trips to Wichita to pay for a wagon, they did it, and afterward they still kept on hauling their supplies for what pay they then got. They furnished fifteen of their young men for a police force, in response to the call made upon them by the agent to look out for horse-thieves and other mischief-doers. I hope you will tell the Great Father in Washington what I have said to you, and hope it will have a good effect.

Q. How many Arapahoes are there?—A. As near as I can get at it, there must be something over two thousand. I am very glad that you have come; very glad to have this opportunity to speak to you, to

explain this condition of affairs among us, and tell you why we are dissatisfied and what we think ought to be done, in order that we may get along better and be more contented. I have spoken to the agent about these things from time to time, a great many times; and when the agent told me it was not his fault, I tried to get him to let me go to Washington and talk there, but the agent would not permit that; so I am glad that you have come, that I can talk to you here.

Q. Where do these Arapahoes live—all over their reservation or right around here?—A. The most of them live close about here; some of them are on the Canadian, ten or twelve miles away, and others down on the North Fork, about the same distance; the farthest off are those on the North Fork, as far as fifty miles. You can count on fifteen hundred—that is, three-fourths of the whole number—being within twelve miles from here.

Q. Do they live in houses or tepees?—A. They all live in tepees but one; they are in small bands.

Q. Do those who cultivate ground live near the streams, or out on the prairie?—A. They live altogether on the prairies; none of them are far away from streams.

Q. How is it about their health now?—A. There is some sickness now, especially among the children; there has been more or less sickness among them ever since they were removed down to this agency; before they were brought down here, when they lived a hundred miles farther west, they were always healthy; but since they came east, into a lower country than before, there has always been more or less sickness among them.

Q. What kind of sickness is most common among them?—A. They get yellow in the eyes and yellow in the skin, and have chills and vomit a great deal, and have headache and fever. [Explanation by the interpreter: "I should judge he meant fever and ague, and malarial fevers".]

Q. What doctors attend them in their sickness?—A. All the time heretofore, up to this summer, they have had one physician, and he did not appear to be very good at curing their diseases; but this summer another doctor, a young man, has furnished medicines.

Q. (To the interpreter.) Do they pay for their own medicines, or does the government furnish them?—A. The government furnishes them.

Q. (To witness.) Was there more sickness among the Northern Cheyennes than among the Arapahoes, and the Southern Cheyennes, that were down here before?—A. The sickness was just the same with the Arapahoes as with the Cheyennes; it was an unusually sickly summer; the measles got among the children was what made it worse. I hope this talk will result in good to both Cheyennes and Arapahoes, when the Great Father at Washington hears of it. I am the head man of my tribe; I am the man who has led my people to go in the good road, and brought them where they are now; they do not all of them do everything they ought to; but there are some who have followed my example, and are trying to do right. Although I am the head chief of the Arapahoes, I have had nothing given me more than is given to the poorest of my people.

By Mr. PLUMB:

Q. What kind of goods are they that have been withheld from your people and not delivered?—A. There is a great big herd of cattle over yonder on the Salt Fork—on the prairie between Pond Creek and the Cimarron; I hear it said it is agent Miles's herd of cattle; I would like *to know* who gave him that big herd of cattle.

Q. Is there anything else that you think belongs to your people that has been withheld?—A. Yes; goods of all kinds that have been furnished for issue and sent here by the government for the Indians; blankets, and calicoes, and clothing, and canvas for lodges.

Q. Where is it now?—A. I do not know where all of it is; but lots of it is stored over here at the school-house, over at the mission.

By Mr. MORGAN:

Q. Has not a United States officer been present every year when these goods were distributed, to see that it was fairly done?—A. Yes, sir; there has been one. (One of the Indians sitting beside the witness said:) When the goods come, they will tear off a piece of cloth *that* big (measuring on his arm), and there is not enough of it to make a shirt for a man, nor a dress for a woman, or even a child, and it is of no use at all to anybody, because there is so little of it that it can't be made into anything at all.

By Mr. PLUMB (to Powder-Face):

Q. Have you seen these goods yourself, that you say belong to you, but have been withheld from you; and do you know them to have been brought down here for the Arapahoes, and not for some other Indians?—A. I do not claim that they were brought down for the Arapahoes alone, but for the Arapahoes and Cheyennes. When I asked why those goods were not given out to the Indians, I was told they were brought to be given to the school; that they were intended for the mission. It is possible it may so, but I thought not so; I would like to know now whether it is so or not. Although these things have been going on a long time, my heart has been strong; I have not gone into any quarrel with the agent, nor made complaints, but waited for an opportunity like this. I hope when you get back to Washington you will try to have the Great Father there give us another agent, one who will have houses built for us, and who will do what we have been promised would be done for us. This is my last request. I hope I will have an opportunity, some of these days, to go to Washington again. I am done.

WILD HOG'S WIFE.

FORT RENO, IND. TER., *August* 19, 1879.

By Mr. DAWES:

Question. What is your name in the Cheyenne language?—Answer. "Ot-tum-mi-ne."

Q. Did you come from the north, with your tribe, to live here?—A. Yes, sir.

Q. Why did they not stay here all of them when they got here?—A. The main thing I complained of was that we didn't get enough to eat; my children nearly starved to death; then sickness came and there was nothing good for them to eat; for a long time the most they had to eat was corn meal and salt. Three or four children died every day for a while and that frightened us.

Q. How long have you been here since you came back?—A. I cannot tell just how long; but it was in the spring of this year that I came back.

Q. Do you live with the Southern Cheyennes now?—A. I am living with the band I came down here with, the Little Chief band.

Q. Are you any better satisfied now than you were before you went away?—A. I cannot see how it is bettered any; we now get only one beef now to every forty-five persons.

Q. Do they not have as much beef as they need?—A. I do not have near as much as I would like to have; our people generally are without meat altogether two or three days in every week.

Q. Do you not get as much as the men?—A. We all get the same.

Q. Do you mean to say that none of them get enough to eat?—A. Yes; they most all feel the same way—all make the same complaint.

Q. Is there any sickness among them now?—A. There is considerable sickness, but not so much as there was when we first came here.

Q. Do you do any work of any kind; if so, what?—A. I do not do anything except carry wood and water; I do not know what else I can do; the Indian I live with is not farming, and has nothing to do.

Q. If your husband were living with you, would there be anything you could do toward helping yourself?—A. I do not know.

Q. If your husband were here, and should have cattle given him, so that you and he could take care of them, and after a while have a herd of your own, would you do it?—A. I think that would be a good thing if we could get the cattle, but I do not see how we could get the cattle; and I do not know how we could farm when we have nothing to farm with.

Q. Suppose you had two or three cows, would you keep them and let them have calves, and after a while grow into a herd, or would you kill them and eat them?—A. We would not kill them if we had anything else to eat; if we should not get any more beef than we do now I don't know whether we could keep them or not.

Q. Is there anything you would like to say to the committee?—A. I have felt good that you have come and have sent for me, and have talked with me. I wish you would do what you can to get my husband released; I should like very much to have him released, as I am very poor here and do not know what is to become of me. If he were released, he would come down here and we would live together quietly and do no harm to anybody and make no trouble. But I never should get over my desire to get back north; I should always want to get back where my children were born and died and were buried; for that country is better than this in every respect.

Q. What is better in that other country that in this?—A. Everything is better; there is abundance of gold in the Black Hills, in the country we came from, while there is no gold here; there is plenty of good, cold water there, pure water, while here the water is not good; it is not so hot there, nor so sickly. Everything is better there than here. Are you going back to where my husband is?

Mr. DAWES. We do not expect to go there.

WITNESS. Can you tell when he is likely to be released?

Mr. DAWES. We cannot tell.

WHIRLWIND.

FORT RENO, IND. TER., *Aug.* 19, 1879.

Whirlwind, White Horse, and Big Horse, representatives of the Southern Cheyennes, seated themselves together, and the first named was examined as follows:

By Mr. PLUMB:

Question. How long have you been a chief among the Southern Chey-

es?—Answer. I have been a chief for many years; it may have been
en years or more; ever since I was a young man. Since I have been
ief I have never done anything to be ashamed of. Here is a medal,
ived on one of my visits to Washington, and I am very proud of it.
. How long since the Northern Cheyennes and Southern Cheyennes
arated?—A. It must be sixty or seventy years ago, or more; when
father was a boy they separated, and a part of them came south.
. Do you consider the Northern Cheyennes and Southern Cheyennes
being still one tribe of Indians?—A. Although they have been long
arated, and been like different tribes in a great many respects, still
y speak the same language, and have been accustomed to consider
mselves the same tribe.
. Were you glad to have the Northern Cheyennes come down here
l live with you?—A. We were very glad when they first came down
e; glad to have them come together again.
. Did all the Southern Cheyennes feel the same way?—A. So far as
now, we all felt glad to have them come down here; we felt as though
Northern Cheyennes were a part of our people, our brothers, and
re gratified to have them with us.
. Do you remember going to Washington with a number of other
iefs in 1873?—A. I remember going there six years ago, whatever
te that was; Little Rogue, Stone Calf, and White Horse, here, went
re at the same time.
Q. What was your purpose in going to Washington at that time?—
We went there for the purpose of meeting the Northern Cheyennes,
d having a council in regard to bringing the Northern Cheyennes and
rthern Arapahoes down here; to meet as we are meeting with you
re to-day, and talk upon that subject.
Q. Did all the chiefs who went with you tell the Northern Cheyennes
at they would be glad to have them come down here?—A. Yes; we
of us told them that we would like very much to have them come
wn here; we said to them, "We are the biggest part of the tribe, you
the smallest part; we have plenty of buffalo and other game to
nt; we would very much like to have you come down here with us."
Q. When the Northern Cheyennes came down here, did the Southern
eyennes receive them cordially, or was there trouble between them, or
s there been any trouble between them since that time?—A. When they
me down we welcomed them warmly; we said to them, "Brothers,
are very glad you have come down and joined us; we are glad you
ve come to make this your country, to live with us as one people;
w we want you to join us in whatever we have already commenced to
; to learn how to farm, as we have done; to give your children up to
e schools, as we have done." Then we went and bought provisions
d invited them to a feast with us, and tried in every way to make it
easant for them.
Q. How long before the Northern Cheyennes became discontented down
re?—A. I didn't hear any of them talk especially about wanting to
t back until after the first winter; but they were disappointed in what
ey had issued to them; and it was very sickly for a while after they
me down, and a great many of them were sick, and quite a number
them died; and in the spring I began to hear a great deal of talk
out wanting to go back.
Q. Had the Northern Cheyennes the same rations issued to them that
re issued to the Southern Cheyennes, and in the same way?—A. If
ions were issued to anybody different from others I did not know it;

everybody had the same amount issued in the same way, Arapahoes, Southern Cheyennes, and Northern Cheyennes.

Q. Was there enough issued to the Northern Cheyennes to keep them from being hungry?—A. One thing that they said was true; though I did not see anybody starve, I know that they did not get enough to keep them from being hungry. They were a people brought up to live on meat, and having meat for their main subsistence; and when they came down here they could not get as much meat as they had been accustomed to having; they did not get meat enough to prevent them from getting sick; their stomachs troubled them.

Q. Was the amount of meat that was issued enough to keep the Southern Cheyennes from getting hungry?—A. Knowing you to be the representatives of the government, I speak to you as to the President. I will tell you just what is the truth. I must say they never did have enough to keep them from getting hungry; the Southern Cheyennes and the Arapahoes got as hungry as the Northern Cheyennes.

Q. Did the Southern Cheyennes have cattle and products of work on land, which the Northern Cheyennes did not have; or did they have more game and more chances to hunt, or more guns and ammunition, and permission to go, or other advantages which left them more food, or an opportunity to get more food than the Northern Cheyennes?—A. The Southern Cheyennes were a little better off, in some respects; some of them had raised some corn; they advised the Northern Cheyennes to do likewise; some of the Southern Cheyennes had some cattle, which helped them out a little once in a while. We were no better off as to guns than they; neither they nor we could get ammunition for our guns; we were not allowed to buy ammunition; if we could have had plenty of ammunition, it would have helped us a great deal, we could have killed antelope, and if we could not have found antelope we could have killed turkey. This would have furnished us food during the two or three days in the week when we had no beef.

Q. Did the Northern Cheyennes, after their arrival here, and before Dull Knife's band broke away, have, all the time, full rations of beef, flour, and other things issued to them?—A. There was seldom a time but something or other was missing from the rations; they were out of flour a part of the time, and a part of the time they were out of bacon; they were always out of something that ought to have been issued.

Q. Was there much sickness that year; and, if so, was there more sickness among the Northern Cheyennes than among the Southern Cheyennes?—A. There was a good deal of sickness that year; it was unhealthy generally for all the Indians here; but I think a larger proportion died among the Northern Cheyennes than among the Indians who had always been living in the south.

Q. Do Indians, when sick, desire to have medicines given to them like white men by a doctor, or do they prefer their own medicines?—A. In most cases where they are sick they call for the agency physician; but at the time the Northern Cheyennes first came here the medicines most needed were not to be had of the doctor at the agency; he had none on hand, he said; and when they sent for the doctor he would not come; there were a great many sick, and he was attending to other people, and so could not attend to them, besides his medicines of the kind they needed were all used up.

Q. How many of the Northern Cheyennes died?—A. (After consulting for some time with his companions:) I don't know, a great many of them died.

Q. Did the Southern Cheyennes, Northern Cheyennes, and Arapahoes

all get the same annuities?—A. In regard to clothing and goods, they have been always issued in the same way, to one tribe as to another. But I must say they have been issued very poorly; in issuing calico, I don't know what use they expected us to make of a piece of calico as big as a handkerchief; it wouldn't make a shirt, and I don't know what it would make; then when they issued canvas, they issued not enough to make a tent, and and I don't know what it would make. It was of no use at all.

Q. Have all the annuities been paid you, to which you have been entitled, during the past few years?—A. I know that a great deal of the goods—stuff for lodges, and different kinds of cloth, and shawls, and all kinds of goods—have been taken over and stored at the mission, and have never been issued.

Q. Is this reservation—this part of the country in which your tribe is now staying—the one upon which you were located by the government? Do you consider this your reservation?—A. We always have considered this our country, in common with the Arapahoes; we were told this when we were first brought down here—the Cheyennes and Arapahoes.

Q. What did you understand to be the boundaries of the reservation?—A. I have always understood that the reservation of the Cheyennes and Arapahoes extended from the Kansas line to the Canadian River, and from the cattle-trail below here to the neighborhood of Camp Supply (the one hundredth meridian).

Q. What do you understand to be the reservation of the *Northern* Cheyennes?—A. At the meeting in Washington, when we first invited the Northern Cheyennes to come down here, we told them that we had a large country here—large enough to have the Northern Cheyennes hold it in common with the Southern Cheyennes and Arapahoes; and that we would be willing and glad to have them come down and live with us. There was no arrangement for the Northern Cheyennes to have a separate reservation.

Q. Did you ever understand that they, or any other tribe, had papers made out for particular lands, which they could have and hold, and nobody else take from them?—A. No; the promises that were made, and everything that was said, were only verbal; the only thing I have to show for that visit is this medal.

Q. Have your tribe, or any of them, received the agricultural implements which were promised them?—A. Plows and farming implements have been given to a good many; but the larger portion have not received anything to farm with yet.

Q. Have you wanted them?—A. All the Southern Cheyennes and Arapahoes want these things; they have been trying to elbow each other out of the way in order to get them; not half as many got them as wanted them.

Q. What reason does the agent give for not issuing these things to your people?—A. He said that the supply was exhausted, and he had no more to give.

Q. Have the Northern Cheyennes had anything of the sort given them—agricultural implements, seeds, &c.?—A. Some of them also received these things, but others did not, for the same reason.

Q. Do you know whether any of the Northern Cheyennes wanted to go to farming, beyond the number that received farming implements?—A. All those that didn't run away with Dull Knife wanted to farm, but most of them could not get any farming implements; those who ran away with *Dull Knife did not want* them.

Q. How long did the discontent exist among the Northern Cheyennes before they ran away?—A. I did not hear any complaints made, nor any talk about going back, until the spring after the summer when they arrived. The winter had passed, and they had been out on a hunt; towards summer they wanted to go out again; they said the agent did not listen favorably to their request, but told them they could not go out hunting any more; he told them that when they went out the winter before the government had to go out and get them back, and if they went out again the government would have to help them back again. They had been complaining about the sickness, and the issues, and that seemed to make them feel worse yet; then was the first I heard them talking about going back north.

Q. Did you know that they were going before they went?—A. Yes, sir, I knew it a long time before; they did not conceal it at all; they talked openly that they were going back north; they told the agent so, saying they could not stand it here; that they wanted to go back, and would go back.

Q. Would those that remained have gone north if they had had horses to go with?—A. I know that a part of them—Living Bear and Standing Elk and some others—did not go, because they said the government wanted them to stay, and they would stay; there may have been some who did not go back because they had no horses, but I know that the reason why a part of them did not go was because they did not want to go.

Q. Of those that were here at that time, have they become more contented than they were, or are they now disposed to remain here?—A. I know that the old band who first came down here have no idea now of leaving here and going back north; they intend to stay, and have gone to farming, and have given their children to the schools.

Q. How about the band that came down here last fall?—A. A part of the band that came down with me are reconciled to the country, and do not want to go back; a part of them, such as Crazy Mule and Raging Bear, left the discontented portion shortly after coming down here, and do not expect to go back; but the larger portion of the band that came down with me are still dissatisfied with this country, and do not want to stay here.

Q. Have the Southern Cheyennes any relatives north? Are any of their families related to the Sioux, or to the Northern Cheyennes, or are their connections all here?—A. The Southern Cheyennes have a few relatives up there, but have been away for a long time; their relatives up there are mainly among the Red-Cloud and Spotted-Tail Sioux; there has been a little communication from time to time between these Indians; they have traveled across the country to visit each other, and stopped for a year or two sometimes.

Q. Are the children of the Southern Cheyennes, or any of them, attending school here; if so, what proportion?—A. There is about a hundred of the Southern Cheyenne children in the school; that is all they want at present, until they get the other school started.

Q. Did any of the Northern Arapahoes come down here?—A. No; they are up north yet.

Q. Do the Indians here expect that the Northern Arapahoes will come down?—A. The Arapahoes here have been hoping to have them come down, just as the Northern Cheyennes came down, but they do not yet know whether they will come down or not. White Horse here [at the left of the witness] says to me that he knows the Arapahoes

now here have been expecting their brethren from the north to come down.

Q. Do you think that a change in the agent here would make the Indians more contented, would lead to an improved condition of affairs, and bring about a better feeling?—A. I think they would be better satisfied if they could get another agent. As for this agent here, the Indians have paid attention to all his orders and been obedient to all he has said, in regard to giving up their children to go to school and everything else; but he has not paid attention to their wants, nor tried to assist them. I think that an agent with a good heart, who would be just and kind to them, would be better, and the Indians would be better satisfied.

Q. If the Indians could get some work to do for which they could get some pay, such as wood to cut or haul, or hay to cut or haul, or telegraph poles to cut, or teaming to do other than that which they now do with their teams, would they be willing and glad to do it, in order to get them clothing and other things they need?—A. Almost all the Indians, except perhaps these last Cheyennes, would be glad to get any kind of work to do that they could earn money by; a great many of them are already working—chopping wood, getting in hay, making brick, driving team for persons who are breaking prairie, and some are driving teams for the contractors on the mail-route from here to Elliot.

Q. If your people should have cows, cattle, &c., given them, do you think they would keep them, and not kill them until they should increase and grow into a herd so as to enable them to have beef of their own from their own herds?—A. I think that the cattle would be a great deal the best thing, because sometimes they have all their work for nothing in farming; if there is not sufficient rain, they do not get a crop. I think if the matter were explained to the Indians they would take care of the cattle and not kill them.

Q. If cattle were given to the different lodges, or families, could they keep them separate so that every family could have its own cows and its own calves without getting into controversy as to whom they belonged, and quarrelling with others?—A. I think if every family could be given six, or seven, or eight cows to start with there would be no danger about killing them; they would take an interest in them and keep them. If there were only two or three cows given to a family they would not take so much interest in them. It would be harder to keep them from killing them; they would not see the increase fast enough. With six, or seven, or eight to a family they could see that in a few years they would have enough of a herd so that they could sustain themselves.

Q. Suppose the government were to give the tribe five hundred cows and divide them among the separate families, could they not herd them all together, but when they were brought in each family take out its own cows for milk?—A. I think it would be a good idea to have a considerable number in a herd. I do not know about having them all in one herd, but may be a hundred or two hundred in a herd would be a good idea. They might be combined in herds of various sizes.

Q. What kind of care would they need, and what kind of care would they get in the winter time?—A. There would be no trouble in keeping cows here through the winter; they would need no feed except what they found in grazing; that would make it easier to keep them here than it would be farther north. We would only have to herd them in winter, the same as in summer.

Q. How was it last winter?—A. No cattle died here last winter either by freezing to death or starvation.

Q. Was there any snow on the ground?—A. Not a great deal.

Q. Have you anything to say about the trader over here at the agency?—A. We have to pay very high prices for what we get there. I do not think they are fair there at all. It would be a great benefit to the Indians to have two or three traders. Where there is but one trader he has everything his own way. The trader there has half-breed traders to do the trading with the Indians. They do not give them their money's worth. It would be better to have white traders that had no interpreters at all. The interpreters the Indians have to trade with are half-breeds, and they could get along better without them. I would be glad to see other traders, so that there would be competition between them; then we would not get so little for our money.

Q. When your people go to farming, do they need houses at the places where they are farming? If so, can they build them themselves, or would they want the government to build them?—A. They heard that houses were going to be built for them a good while ago. They would be glad to have houses. They would want white people to build them, for the Indians do not know how to build, and have not the implements to build them with. They would have to get white people to build them.

Q. Do you think it would be better for the military to have control of all the affairs about an agency than to have a civil agent?—A. The Indians think another agent would be a good thing, but they think that an agent selected from civil life would be more acceptable than a military agent.

Q. Are the Indians generally satisfied with the commander of the post here?—A. I do not like to answer that question, but I do not want to conceal anything. I have not got anything especially to say against him, but I think it would be a beneficial policy to change officers when one had been at the same place a long time. I think it would be better if there were not so many troops here all the time. It looks as if the government suspected the Indians, and this they do not like. We mean to behave ourselves and do not like to be suspected.

Q. The government looks upon what the Indians do, not upon what they say; and last year the Indians, some of them, broke away, and the government had to send the soldiers after them; and the Great Father at Washington does not know whether he can safely trust them all. They did not, all of them, make any trouble, but some bad ones did; and while he trusts the Indians in general that are here now, he does not know but there may be some bad ones among them who would not do what they say. It is not to do any harm to good Indians that troops are kept here, but for fear lest there might be some bad ones among them.—A. That is so; but when everything is right and at peace, and when the Northern Cheyennes have become settled down south here, then to take away some of the soldiers, so that there should not be so many here, would be well. Then the Indians would not feel as if their Great Father at Washington was suspicious of them.

Q. What do you do with your wagons, horses, &c., when you are not hauling goods with them from Wichita?—A. Our people have some wagons, but not as many as they would like to have; those that have wagons, the greater portion of them, haul goods from Wichita with them; those who have already paid for their wagons receive pay in money for what they haul. They would like to have more wagons than they have, and would like to have some employment, something to haul and receive money for hauling; they would like to do almost any kind of work that would bring them in money.

Q. That is hardly an answer to my question. I asked, what do your people now do with their wagons when they are not engaged in hauling goods from Wichita with them?—A. When not engaged in hauling goods from the Arkansas they use their wagons in hauling wood to burn, and to move with when they are changing camps, and to haul water from the creeks. Having these wagons helps the women a great deal, for they do not have to bring wood as they did before.

Q. As there is only so much work to do, if there were any more wagons given, each one would receive less work. If you had more wagons, would you take care of them and keep them in out of the rain, and be careful not to break them or let them become injured?—A. They would like to have wagons for their own use—they that are farming; they would have a great deal of use for them; they love their wagons, and take good care of them and of their harness, and keep them out of the weather.

Q. If your people were provided with plows and other agricultural implements, could they go on farming, break up land, put in crops, &c., without help, or would they need to have the government break up their land and show them how to farm?—A. We do plow ourselves, all of us, and a good many of us have plows; but we would rather have white men to help us, for we are not as used to plowing as the white people are, and consequently are more awkward; our horses are smaller than those of the white men, and not so strong, and fall down sometimes; the sod is very hard to plow through. We would rather have better horses and have white men to help us and to show us how to farm.

Q. You have said that you did not get enough rations, particularly of beef. I want to ask you whether things have been getting better lately or otherwise in that respect?—A. We have been told that things would soon be better, and we have been hoping to see them get better all the time; but, instead of that, things have been getting worse and worse all the time; every year we receive less and less; I don't see why it is; I don't see why the white man should want to make it any worse for us than it has been; but so it is.

Q. Is there anything more you would like to say to us before the examination concludes?—A. Yes; I would like to have you intercede for us that we may have a better beef issue; if they would issue a small steer to each company of forty or forty-five, between the seven days, to help us out, it would be a good benefit.

By Mr. MORGAN (to the interpreter):

Q. Do the Indians salt their meat?—A. No; they sun-dry it; the air is so dry here that the meat dries without spoiling. (Senator Plumb added, "Except in wet weather; but they always get away with it just the same.")

By Mr. PLUMB:

Q. Is the present method of issuing or of dividing beef objectionable? If so, in what way could it be bettered?—A. I do not know of any better method of distributing than the present, but we would like to have more of it; we would rather kill the beef ourselves, even if we are so short of ammunition that we have to kill them with axes, than to have the white people kill them for us; for if we kill them ourselves, we can have the insides; we use every particle, large intestines, and small intestines, and all, not leaving anything but the horns. I think traders ought to be compelled to pay us more for our hides; they give us only two dollars now; they ought to give us three or four. (Explanation by

the interpreter: "They sell without regard to weight, although some hides are a great deal larger than others.")

There is one thing further; that is, there is a great portion of our people, the Cheyennes, who have not been able to see these gentlemen from Washington, and I think it would be a very nice thing if you could present us with a steer to have in common, so that the women and children could receive the benefit of their being here and have a feast over it.

By Mr. MORGAN:

Q. Is there any reason why you cannot carry your beef-hides to Wichita or Caldwell and sell them?—A. We would rather do our trading close at home; it is not handy always to go all the way to Wichita to sell a hide or to buy something we may happen to want.

LIVING BEAR.

FORT RENO, IND. TERR.,
August 19, 1879.

Living Bear and Standing Elk appeared before the committee, and seated themselves beside each other, whereupon the former was examined as follows:

By Mr. MORGAN:

Question. Why did you not go off with the other Northern Cheyennes when they left this part of the country to return to their northern home?—Answer. We were told at the council at Camp Robinson, by Generals Crook and Mackenzie, that the President had given orders for us to come down here and live in the southern country; we intended to be obedient to the orders of the President, and so we did not go back.

Q. Did you want to go back?—A. We had no idea of going back any more; we did not want to go back after having come down here.

Q. Do you want to go back now?—A. I have been satisfied here ever since coming down; when I first came down here the Southern Cheyennes met me and took me by the hand, and told me they were glad I had come down; and I have felt at home ever since.

Q. Is that the general feeling among the Northern Cheyennes that came down here?—A. All of us who came down at the time the Dull Knife band came down, and who remained here, and gave their children up to the school, feel the same way; over a hundred lodges of us Northern Cheyennes feel that way.

Q. Do you get as good rations here as you did at the Red Cloud Agency?—A. In that we were disappointed; we were promised a great many things, in case we should come down here, which we have never had; we do not get as good rations here as we got up north.

Q. Wherein is the deficiency?—A. One thing is, we were promised that when we came down here we should have cattle given us to keep—not to kill; but they have never been given us. Then we were promised a larger issue of beef than we had up there; we understood that we were to have enough to keep us from being hungry, which is not the case. The issue of beef is not as large as it was up there; we are entirely out of beef a good part of the time.

Q. How about the flour issue?—A. That keeps giving out; every once in a while they tell us there is no flour; and when they have flour, then the sugar is gone; and once in while, between times, the coffee is gone. Always there is something gone. The flour is out half the time.

Q. About how many Northern Cheyennes remained behind after the departure of a part of them?—A. About a hundred and fifty lodges remained to about fifty that went away.

Q. Does any particular number constitute a lodge?—A. They average about five to a lodge.

Q. Of those that remained behind, have any of them gone to work—at any kind of work?—A. Nearly all of us who remained have given our children up to school, and are trying to work, at farming mainly, more or less. We were told to try and farm like white people; we didn't know anything about it; but we said to ourselves, "We will try anyhow." We planted corn before we had any ground broken up, by digging up the ground with hoes. That is the way we commenced farming, and some of them have done that way ever since.

Q. Have any houses been built for them, or have they built any for themselves?—A. No.

By the CHAIRMAN:

Q. Do your people want houses to live in—to stay in all the time?—A. My son is growing up like a white man, over at the school; all the Indian children are growing up like white people; and they would like houses like white people.

By Mr. MORGAN:

Q. Are the children learning to speak English?—A. I do not know whether they are or not.

Q. Are they taught in the Indian language at the school?—A. They are trying to teach the children to read it, to educate them in English; the teachers do not talk Indian.

Q. Have the Indian parents any objection to their children learning to speak English?—A. We know it would be best for them to understand English, and be educated in all the things that the white people know.

Q. Is there any game in this country—that is, enough to form any reliance for the support of a man and his family?—A. There is a good deal of game yet in this country, that would do the Indians a great deal of good; that they could live on if they could be allowed to go out to hunt, and could have the ammunition to hunt with. There are a good many buffalo scattered about through this country yet. We found buffalo the last time we went out after them. Then there are a great many antelope in the country.

Q. To what extent are the Northern Cheyennes supplied with horses?—A. They are not very well off for horses; they have a few.

Q. Have any of them any cattle?—A. None, that I know of.

Q. If cows should be given them, do you think they would take care of them, so that they would increase, and in time grow into a herd?—A. I think it would be a very good thing to let them have cattle; if some of our chiefs would be wise enough to make a rule that they should keep their cattle, and the government would give them cattle to raise, it would be a good thing; I think they would take good care of them.

Q. If the United States Government were to give them cattle, in what way would they prefer to receive them; as heads of families or as bands?—A. I think it would be better to give them to the Indians separately, so that those who chose to bunch their cattle together could do so.

Q. Did the Cheyennes have any cattle in the north, before they came down here?—A. They were not given any cattle, while they were in the

north, to keep, only to kill; but the cattle rations up there were better than here.

Q. Do your people know anything about using milk in their families?—A. Yes, and they like it; whatever cows they have, if they are gentle enough to milk, they milk them and like the milk.

Q. Was the country you came from abundant in game, at the time you left there, or had it been exhausted?—A. That was a better country for hunting than this; not right at White River, where the agency was, but where the Indians used to roam, in the Black Hills.

Q. How did the Northern Cheyennes, who are here now, manage to supply themselves, when they lived up north, with clothing, especially winter clothing?—A. The greatest part of it they had to buy from the store with money they got in different ways—from selling the hides of their beef, from chopping wood, from hauling with their wagons, when they had wagons, &c.

Q. Was there not any clothing issued to the Northern Cheyennes*?—A. They had coats, pants, vests, hats, and shoes issued to them. The clothing is a sort of gray goods, of very poor quality, not of any account. Outside of that, calico, &c., is sometimes issued to them, but in pieces too small to be of any use to anybody. The Indians do not take kindly, not very fast, to white people's clothes.

Q. Do they wear shoes there in the winter, or moccasins?—A. They wear white men's shoes in the winter, a great deal, when the ground is wet, but they do not get shoes enough for all their children; they do not get goods enough issued for all their families.

Q. What is the state of health of the Northern Cheyennes who are here now?—A. Not so bad as it used to be; but sickness has not entirely left them yet.

Q. When was the worst of their sickness, since they have been here?—A. Last year, in the spring and summer.

Q. Did they ever have the measles among their children before they came down here?—A. No; they did not have anything of that kind up north.

Q. Has the tribe ever been afflicted with the small-pox, either there or here?—A. Never, that I know of.

Q. Are your people satisfied with the agent here?—A. I am glad these gentlemen have come here from Washington, to represent the government, so that we can state our case to you. Before we left the White River Agency, at the council there, we were promised a great many things which we have never received. We do not think the agent here is as good an agent as we ought to have. We think he withholds goods that he is supposed to issue; I mean the annuities. I do not think he issues all he ought to. And then, as to beef, he issues now a steer to forty-five persons, and tells them that that is all that is allowed them by the government. We don't believe it. If it is so, it is very hard that we should not have enough beef to eat.

Q. Is the tribe, the Cheyennes, increasing or growing smaller; are the women bearing many children?—A. Yes; there are a great many children being born all the time.

Q. Is the tribe growing stronger or weaker?—A. I think more of them have died since they came down here than have been born.

Q. Have the Indians doctors among themselves, who administer medi-

* This question apparently (see the one preceding and the one following it) refers to the Cheyennes before they left the north; but the answer, very evidently, refers to the clothing issued to them after coming south. See also question by the same Senator (based upon this answer), in the examination of Mr. Miles, recalled.

cines to the sick?—A. We have a good many doctors in our tribe; in a good many diseases they are better than the white doctors, while in some diseases the white doctors are better than ours are.

Q. What do they doctor with?—A. Roots and herbs, and a good deal of superstition; sometimes they suck the disease from the afflicted places, and spit it out; they get very sick, or make believe they are, and sometimes go out and vomit.

Q. How do they pay their doctors?—A. They pay in anything; just as they can afford; sometimes a blanket, sometimes clothing, sometimes horses; sometimes he gets two or three ponies for attending one patient.

Q. Would they rather have white doctors, and medicine furnished free, or have their own doctors and pay them?—A. For most diseases they rather have white doctors; especially when they have the ague.

Q. Did they ever have the ague in the Black Hills?—A. Never.

By the CHAIRMAN:

Q. Did they have more rheumatism and lung diseases up north than here?—A. No; they were healthier in every way; they were never sick with any diseases up there.

By Mr. DAWES:

Q. Did they not have consumption up there?—A. No; not consumption nor anything; they rarely died of anything except old age.

Q. Do they live longer now than they used to, or not so long?—A. Pretty much the same as they used to.

By Mr. PLUMB:

Q. Have the rations been the same all the time you have been here, or have they been sometimes more, sometimes less, than others?—A. I think the beeves are a little better now than they were when we first came, but I think we got a little more then than we do now.

Q. Was there a time, just before the Northern Cheyennes left last year, when food was less in supply than it had been before?—A. Yes, it was rather worse then than it has ever been before or since; they were nearly all the time out of sugar, flour, and bacon.

Q. Have you anything to say about the trader here?—A. I think the half-breeds they have employed there cheat the Indians; we don't get good trades there at all.

Q. Have agricultural implements been issued to all the Indians of your tribe that wanted them?—A. All our party who didn't run away have received farming implements and have gone to farming.

By Mr. DAWES:

Q. Did they receive those agricultural implements before or since the others ran away?—A. The implements were not received until after they had left.

By Mr. PLUMB:

Q. Who does the farming and the work generally among your people?—A. All the men are at it, and sometimes the women assist them.

Q. If there were more work to be done—wood to cut, and hay to cut and wood or hay to haul, and other work—would your people be willing to do it?—A. A great many of them would be very glad to earn money in any way they could.

Q. Do they, so far as you know, get all the annuity goods that are brought here to be distributed?—A. A great deal that comes we do not get; it is sent over to the mission, and I think is secreted there.

Q. What do you understand each Indian is entitled to receive, each year, in the way of annuity goods?—A. I never understood exactly what the government did intend we should have; but I supposed it meant that what we did have should be of some use to us; and from the fact that in a family a man who is not the head of the family cannot get one whole cloth blanket, I think we are not getting what the government meant we should; when they issued this (placing his hand on his own blanket), I think the government meant each man to have a whole one, and when we cannot get it, that makes me think it must be stolen.

Q. Have any of the Indians who have settled and commenced farming received any cattle, cows or oxen?—A. None of them have received any.

By Mr. MORGAN:

Q. Have the Indians ever engaged in the raising of poultry?—A. It was of no use for us to have chickens or anything of that sort when we were north; but when we were ordered away from there we were told that when we got down here, cattle, and hogs, and chickens would be given us. Some few have got some chickens now, but they did not get them from the government; they bought them from their own resources. Powderface has more of such things than anybody else here; he is chief of the Arapahoes.

Q. Is there much stealing among the Indians—among the different bands, I mean—the Indians of one band stealing from those of another band?—A. We have no trouble at all about having things stolen; if we had chickens the Indians would not even steal an egg from each other.

Q. Is there anything further that you would like to say before our conversation ends?—A. I am glad to have met the party here from Washington, for now the men at Washington will have an opportunity to hear that we have obeyed their instructions as given us by General Mackenzie; that we have come down here to remain here as long as the government wants us to remain here.

By Mr. DAWES:

Q. Would you like to have those Indians up at Lawrence liberated?—A. I should like very much to have them liberated, and hope that you will be able to do something to help them.

Q. If they should be liberated, do you think they would stay here, and be peaceable Indians hereafter?—A. I think they have learned sufficient sense now so that they would stay here peaceably and quietly the rest of their lives. Before I go out I would like to have you look at my papers.

Witness thereupon passed around among the members of the committee a number of documents testifying to his fidelity, trustworthiness, and friendship for the whites. One was a commission, signed by J. K. Mizner, major Fourth Cavalry, commanding the post, appointing the bearer corporal of a detachment of Indian scouts, to run from the 9th day of August, 1877. Also several other documents, among which were the following:

RED CLOUD AGENCY, *November* 20, 1876.

The bearer, Living Bear, has been placed in charge of the Cheyenne Indians of this agency. He is instructed to report all news concerning northern Indians, and also to report all Indians coming in or leaving this agency.

W. CALHOUN,
Acting Indian Agent.

RED CLOUD AGENCY, *December* 13, 1876.

nce I have been on duty here, Living Bear has conducted himself exceedingly well; as kept good order among the Cheyennes under his charge, and has given every ation of good-will and fidelity.

THOS. TOBEY,
Captain 14th Infantry, Acting Indian Agent.

By the CHAIRMAN:

. Is there anything more you would like to say before the examina- ends?—A. (After consultation with his companions.) We think it ld be a good idea if you would give us a couple of steers, so that our ple could have a feast in honor of your coming.

he CHAIRMAN explained that the functions of the committee did not end to the ordering of the agent to issue anything.

LITTLE CHIEF.

FORT RENO, IND. TER., *August* 19, 1879.

ittle Chief and Black Wolf appeared together before the committee, after some conversation between them, the interpreter and the com- tee, not exactly in the nature of an examination, Little Chief was ex- ned as follows:

By the CHAIRMAN:

uestion. Which do you like best, the country down here or the ntry you came from?—Answer. I like best the country I came from.

. Why do you like that the best?—A. Because that is the land re I was born, the land that God gave us; and because it was better n this in every way; everything is better up there than here; the nate is better, the soil is better, the water is better.

By Mr. DAWES:

. What made you come down here?—A. We were first told by Gen- l Miles that the government wanted us to come down to this Terri- y; we did not want to come; he told us to come down here anyhow; said a good many of our relatives were here, that had come down h the Dull Knife band; he said if we did not like the country we ld get our relatives together who had come down ahead of us and go k north again; if we were not satisfied, he said, he would have it anged so that we could go north again; there would not be much uble in doing that, because, he said, the government knew the valu- le services we had rendered helping him (General Miles) in the Nez rcés campaign; also in capturing the Lame Deer Sioux village. We re with General Miles as scouts, and captured the Sioux herd, and o the Nez Percés herd of horses. Some of the Cheyennes killed the ief of the Sioux village, Lame Deer, himself, and gave up the captured rses to General Miles. When we surrendered to General Miles we ve up all our horses and arms; afterward he gave us back some rses to scout for him—also some arms to scout with. Afterward, en we left there to come south, we were allowed to retain some horses d arms, on account of our services to the government. I supposed e government had heard everything about us, and the services we d rendered and our situation exactly. A party of us—myself and veral others—were sent for by General Sheridan to go to Chicago; at icago we were told by General Sheridan that we would have to go

try—how would you live up there?—A. If we could go back north, we should expect to join General Miles's post, where we left forty lodges of our people, and where Little Wolf has since gone and joined them. If we could be allowed to go there, we would do anything the government would want us to; but we would like very much to be allowed to hunt buffalo, as we were allowed before. General Miles allowed us to go on several buffalo hunts; but, if we could not hunt buffalo, we would still be glad to go, and do anything the government would ask us to. We have children up there, and other relatives, and we do not like to be separated from them. That country is our home, and we do not feel happy to be kept so far away from it, and to think that we shall never see it any more.

Q. Why were not all the Cheyennes sent down here?—A. Part of them General Miles was allowed to retain, because they are still scouting for him. There are about thirty men scouting for him, and on that account the families of these thirty men are allowed to remain there. He wanted to keep all, but was not allowed to keep any but the families of those he kept as scouts. Since then three of the young men who were acting as scouts have been killed, in the last fight with the Sioux. One of those young men I knew very well.

Q. Do you get enough to eat here?—A. We came here last winter, and there has not been an issue of rations at any time yet when we have had enough to eat. The sugar has never been over a handful for a week, and much of the time there has been none at all.

Q. How has it been with regard to the beef and flour?—A. Where there are ten families together, they get only about a peck of flour for a week.

By Mr. MORGAN:

Q. Has not corn-meal been issued?—A. They have been issuing, in place of flour, some yellow corn-meal; but corn-meal never did agree with Indians; it stirs up their bowels, and makes them sick. I do not think it was ever intended for Indians to eat. I have been to Washington, and said to them there what I have told you now. I hope, when you gentlemen go there again, you will repeat to them what I have said, and that it may result in benefit to us.

By Mr. PLUMB:

Q. How has it been with regard to beef?—A. We were raised on beef—or buffalo meat, which is the same thing. We have been accustomed to eating a great deal of it; but since coming here we never have had enough of it to eat. It was bad enough when we had one beef to thirty or thirty-five Indians; now that we have only one beef to forty or forty-five, it is not near enough. That is all that is given us for a week, and it is eaten in three days, or two.

Q. Are not the beeves now issued larger than those formerly issued?—A. They tell us that the cattle we are getting now are larger than those we used to get before we went to Washington, but I cannot see that they are any heavier, and I am sure they are not in as good order.

Q. Has any clothing been issued to you?—A. There has been clothing issued, but it was a very poor issue—a poorer one than we ever received before.

Q. Is less food issued to you now than used to be issued to you at Fort Keough?—A. It does not compare with the amount of rations that were issued to us at Fort Keough. We never went hungry any day there; here we get hungry two or three days every week. There we

expect to stay here; the only expectation we had in coming down was that of finding our relatives here, and having them go back with us if they did not like it here, as we had been told we might do, both by General Miles and General Sheridan.

Q. How came you to expect to go back before you had been here to find out whether you would like it here or not?—A. We had heard that the other Indians had broken away and had gone north because they did not like it here.

Q. What post did you draw rations at?—A. At Fort Keough; there was no agency there; we were held nominally as prisoners of war, and the rations we received were issued by the War Department to us as prisoners of war; in the beginning we got full soldier rations; afterwards we received rations the same as the Indians at the agency—full rations as prescribed by the Interior Department.

Q. From whom did you use to draw rations before you drew them at Fort Keough?—A. Before we were taken to Fort Keough—before the war broke out—we used to live with the Red Cloud Sioux.

Q. Did you not draw any rations from the government at all then?—A. When we were there they used to issue rations te us, but when we were out we had all the game we wanted.

By the CHAIRMAN:

Q. Is there any game here?—A. There is not anything here to hunt; there is a great deal more game up north.

Q. If you have no game here, what do you want of arms?—A. We captured those guns from the Nez Percés when they were fighting the government; we were told that on account of the aid we had rendered the government against its enemies those guns should be ours always: we worked for them, we risked our lives for them, they were promised to us, and we think we ought to have them.

Q. Would you not be as well satisfied to have the value of the arms in money, or clothing, or something else you need?—A. We would rather have the guns than money or anything else; this is not a good country to hunt in; there is not much game here; but whatever is here we could get better if we had guns than we can without any, and we should like to have the benefit of it; there are some turkeys and some antelope.

By Mr. PLUMB:

Q. What has been furnished you on account of the sale of your horses?—A. They took from us our horses, the best we had, and we received in return eleven dollars in money, each; it was not much money, and we didn't care much about it; we don't care for money as we do for our horses; the land that God gave us, that we always looked on as our own, was full of money; there was plenty of gold in the ground, and the eleven dollars that we got for our horses didn't amount to much.

Q. Was that all that was realized for the horses?—A. That was all we got. Each Indian received eleven dollars, regardless of what kind of a horse it was that he had. I think there is considerable money out somewhere; the horses must have sold for more than that. I think, when they sold them, they just gave us back whatever they saw fit. At least that is the way it looked to us.

Q. How many horses did they leave you—enough for your own use?—A. I think some families have two horses in the family, and some have three. They are principally the pair of Nez Percés horses given us after the capture of the Nez Percés herd.

Q. What would you do if you were to go back to that upper coun-

try—how would you live up there?—A. If we could go back north, we should expect to join General Miles's post, where we left forty lodges of our people, and where Little Wolf has since gone and joined them. If we could be allowed to go there, we would do anything the government would want us to; but we would like very much to be allowed to hunt buffalo, as we were allowed before. General Miles allowed us to go on several buffalo hunts; but, if we could not hunt buffalo, we would still be glad to go, and do anything the government would ask us to. We have children up there, and other relatives, and we do not like to be separated from them. That country is our home, and we do not feel happy to be kept so far away from it, and to think that we shall never see it any more.

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did not have canvass issued for our lodges, but we were allowed to go and hunt buffalo for skins for our lodges whenever we wanted to.

By Mr. PLUMB:

Q. Do you have no lodges here?—A. We have canvas lodges here, but no buffalo lodges. When we were allowed to go buffalo hunting from Fort Keough a guard of troops, ten soldiers, was sent with us. We never made any trouble with the white people; we had plenty to eat. I was in good condition then; now, look, and see how poor I am growing since I came down here.

Q. If you have planting and plowing and other work to do, after hunting gives out, in order to live, why not do it here as well as anywhere else?—A. Because that is a better country to live in for everything. If I had to plant or plow, or do anything, I would sooner do it up there than down here.

Q. Would you not feel less objection to staying here if the rest of the Cheyennes were down here?—A. I would much rather join them up there; the people up there are already opening up their farms, and have raised pretty good crops, and know how to do farm work, and would show us how; I would be willing to undertake it as soon as I got there.

By Mr. MORGAN:

Q. Is there more rainfall there than here?—A. It rains there much more frequently than here; the grass and vegetation never dries up in the hot, scorching sun as it does here. They never have any such droughts there as they have in this country.

Q. Would you not be afraid of going back there among the Sioux?—A. I would have no hesitation on account of the Sioux; I would be glad to go up there and live at Tongue River; I would be willing to serve a while in any wars against the Sioux; I am not afraid of the Sioux.

Q. Do all of your band feel as you do about this matter of staying here?—A. The hearts of all my people are just like mine; I speak the sentiments of all my people; we all would rather be among those mountains and streams where we were raised from the time we were old enough to remember anything, than to stay in this country, and be compelled to stay here.

Q. Is your band on good terms with the Southern Cheyennes, as a band?—A. We do not get along very pleasantly with these other Indians; we do not feel good to be among them. I hear that the Indians that ran away from here, the Dull Knife band, did not agree with the Southern Cheyennes who were here before. There have been bad words between my band and the Southern Cheyennes. God never gave this southern country to the northern Indians; He never intended it for them to live in. The northern Indians can never be healthy here. Ever since I can remember the Southern Cheyennes have been here, and my people have been up north. We never expected to live with these Southern Cheyennes.

Q. Is that a mountainous and woody country, or is it a level country, like this?—A. There are a great many mountains there, but there are a great many very pretty valleys, and plenty of grass; that horses get fatter and stronger than they will on the grass here. That is a better country than this for stock.

Q. How about the winters there; are they very cold?—A. The winters are longer there, and the weather is colder and there is more snow; but that is what we are raised on and we like it; we were never sick there.

Q. Did you stay on the hills in the winter, among the snow, or did

you go down into the valleys?—A. We generally camp in the valleys of the Tongue River and the Powder River, in the timber. We never suffer from cold there, at all, in the winter.

By Mr. DAWES:

Q. Are you and your band on good terms with Standing Elk and his band?—A. We do not mingle together pleasantly with that band; my people all want to go back to their native country, while that people have thrown that country away and decided to stay down here.

Q. Does Standing Elk and his band fare any better down here than you and your band?—A. There is no difference in the issue between the two bands; the Northern Cheyennes, the Southern Cheyennes, and the Arapahoes all fare alike.

Q. What makes Standing Elk and his band prefer to stay here while you and your band want to go away?—A. The people of his band have always had some relatives down here among these Southern Cheyennes. They had been thinking of coming here a long time before they did; they were pre-disposed in favor of this country.

By Mr. MORGAN:

Q. Are any of your band engaged in agriculture?—A. Three or four families of the band that came down here with me have begun to farm; those do not want to go back now.

Q. Then all your band do not want to go back north?—A. No; when I said that all my people wanted to go back north I did not mean to speak of those who were engaged in farming.

Q. Are there any wagons in your band?—A. No, sir; none of them have received any wagons.

Q. Have they not received any agricultural implements?—A. They have not received anything in the agricultural line at all. I told the Secretary of the Interior, when I was in Washington, that I did not want to receive any of these things here, because I hoped some time to go back north and then I would be glad to receive them there. I was also granted another request that I made; that was, that my band, the people under me, would not have to give their children up to go to school unless they wanted to.

Q. Why did you not want your children to be sent to school and educated?—A. Because I love my children and do not want to see them made slaves of, like many children over there, who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of War for not wanting to receive any wagons was because I had no horses to work them, and there have been no horses issued to me yet.

Q. Are the women of the tribe bearing children here? Is the tribe increasing or diminishing?—A. A great many children have been born. I do not know whether more have been born than died or not. A great many have been sick; some have died, and some have got well. I have been sick a great deal of the time since I have been down here—homesick and heartsick, and sick in every way. I have been thinking of my native country and the good home I had up there, where I never was hungry, but when I wanted anything to eat could go out and hunt the buffalo. It makes me feel sick when I think about that, and I cannot help thinking about that. I like the white people up there better than I do the white people down here, too. I can get along with the white people up there; they appear more sensible people than the people down here. Everybody knows us up there, and everybody treats us like brothers.

I served with the soldiers up there, and they all knew me and treated me well. I can get along there much more pleasantly than here. For my part, I was never raised to be dependent on an agency at all; I was used to living by hunting all the time. It does not make me feel good to hang about an agency and have to ask a white man for something to eat when I get hungry.

By the CHAIRMAN:

Q. Is there anything more you would like to say before the examination closes?—A. I am glad you have come from Washington to talk with us. I hope that what you hear here you will carry to Washington and intercede for us there, that we may go back to the country God gave us in the north. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in. The interpreter here has traveled all the way down here with me from the Missouri River. He knows how I have behaved on the long trip, under very trying circumstances. We had our horses taken from us, and our arms taken from us after we had been promised that we might keep them on account of our services to the government; but we obeyed without making any trouble, and now I hope you will take pity on us, and do all you can for us.

Q. Is that all?—A. (After consultation with his companions.) One thing I would like to ask: I represent one northern band, and my companion here represents another band. We think our people would be very much pleased if you could have issued to us about three steers, so that they could have a feast while you are here.

The CHAIRMAN explained that the committee had no authority to order the issuing of anything.

JOHN D. MILES.

CHEYENNE AND ARAPAHOE AGENCY,
Indian Territory, August 20, 1879.

JOHN D. MILES sworn and examined.

By the CHAIRMAN:

Question. Please give the committee, in a connected form, a history of the arrival here of the Northern Cheyennes who left here in September of last year (1878), with the causes, so far as known to you, and the manner of their leaving.—Answer. I suppose I could give you the matter a little more in detail if I could be permitted to refer to my books.

Q. What we want is a full and complete history of the whole matter.—A. I can get at that better and more accurately, especially as to dates, by reference to the press copies which I took of the letters that passed between myself and other parties connected with the transaction.

Mr. PLUMB. We have here in print the various letters bearing on the matter.

WITNESS. I can at least have my book of letters here in my hand, and by referring to it when I find it necessary refresh my memory occasionally. I looked over my book last evening and have it marked so that it will require but little time to refer to the different pages.

My first letter to the superintendent of Indian affairs was simply in regard to some materials for lodges for the Northern Cheyennes. My

first information that these Indians were coming was derived from a letter from General Mackenzie, who wrote me that fourteen hundred Indians, Northern Cheyennes, had started at a certain date, which I can find if the committee desire it.

The CHAIRMAN. I do not consider it necessary.

WITNESS. Thereupon I wrote to the superintendent of Indian affairs, suggesting that, as these Indians had been dismounted and disarmed, and had nothing for lodges, it would be a good idea to have lodges ready for them when they arrived. My letter contained also an estimate for 5,300 yards of heavy duck, for the purpose of making them lodges. This letter was dated July 11, 1877. After that time there was correspondence between the Commissioner and myself, in reference to beef for those Indians, and I was, in return, authorized by the Commissioner to call upon the beef contractor for beef to be issued to these Northern Cheyennes, and I did so. On the 1st day of July we had on hand, left over from the previous year, quite a supply of beef, I do not know just now how many head, and I suggested to the superintendent of Indian affairs that we could borrow from the Southern Cheyennes and Arapahoes (for the supplies for the Northern Cheyennes were to be paid from a different appropriation). I was authorized by the Commissioner to borrow beef instead of calling on the contractor for it, and I did borrow beef from the Arapahoes and Southern Cheyennes, and issued it to the Northern Cheyennes until the supply on hand for the benefit of the former, on the 1st day of July, was exhausted. If desired, I can furnish copies of these letters.

Mr. PLUMB. Whether the beef was charged to one fund or another does not make much difference, so far as our purpose here is concerned.

The CHAIRMAN. If we want copies of any of the letters we will call for them afterwards; but first we want a connected history of the affair.

WITNESS. A regular estimate was sent in for supplies, to be here, if possible, by the time the Indians arrived. Purchases were made and were sent, and until the supplies reached here I was authorized to issue supplies from the appropriation made for the Arapahoes and Southern Cheyennes. Every possible preparation was made for their arrival.

By the CHAIRMAN:

Q. When did they arrive?—A. They arrived here on the 5th of August, 1877.

Q. Were they armed and mounted, or unarmed and dismounted?—A. I will refer you to a letter of subsequent date——

Q. No. The fact is all we want now. Were they armed?—A. I did not see them disarmed. It was the understanding between Colonel Mizner and myself that they had been disarmed up north, but we soon afterward saw arms in their possession, which naturally led us to suppose that they had not been thoroughly disarmed. But so far as I knew or supposed at that time, they were disarmed.

Q. Had they horses?—A. They had some horses with them. A portion of their horses were taken from them by General Mackenzie, who was here in person. The horses were afterward driven to Fort Sill and sold.

Q. How many horses had they, how many were taken from them, and how many were left them?—A. That was before they were transferred to me. Colonel Mizner may be able to tell you about that.

By Mr. MORGAN:

Q. You say the horses that were taken from them were driven to Fort Sill and sold?—A. Yes, sir.

Q. What was done with the proceeds?—A. Cattle were bought with the proceeds and given to the Indians. Some of the Indians who came from the north were sent down there with the horses, and brought back the cattle.

Q. How many cattle were brought back?—A. I think there were about fifty-one head.

Q. Were they breeding cattle or steers?—A. Breeding cattle.

Q. How much was received for the horses?—A. I do not know.

Q. Nor how much was given for the cattle?—A. No, sir; the particulars of the transaction I never knew anything about.

By the CHAIRMAN:

Q. You say that General Mackenzie came with them from the north?—A. No, General Mackenzie did not come with them from the north; Lieutenant Lawton came with them; General Mackenzie came from Fort Sill. If my memory serves me, General Mackenzie aimed to leave about one pony in the hands of each one of the men, perhaps it was one pony to each lodge; I know a few ponies were left in their possession.

Q. Well, what next?—A. They arrived here on the 5th of August; they were turned over to me on the 7th. On the 6th they had their talk with Colonel Mizner and General Mackenzie.

Q. When they were turned over to you what did you do?—A. I issued them rations. First, I got them into families—enrolled them.

By Mr. MORGAN:

Q. Have you that enrollment?—A. Yes, sir.

By the CHAIRMAN:

Q. What did you issue?—A. Such stores as we had on hand at the time for the Arapahoes and Southern Cheyennes, consisting of beef, flour, sugar, coffee, and tobacco. I continued to issue to them such stores as that when they were on hand. In the absence of any part of the rations, such as sugar or coffee, I always increased the beef rations so as to amount to what would be a full, authorized government ration for the Indians.

By Mr. MORGAN:

Q. Did you locate them—settle them in different places?—A. At first we let them divide right up among their friends—their relatives among the southern people here. At the first council I had with the southern Indians I encouraged them to feel, and urged them to act as if they felt, that these northern Indians were their friends, their relatives, a part of the same tribe, and to try and make them feel at home down here, and to realize that they were to have an equal show with the balance of the Indians, and were the brothers and sisters of those who were here before. I tried to show them how necessary it was that they should affiliate and live peaceably with each other. I think this advice of mine was pretty generally followed by the southern Indians, and was met in a similar friendly spirit by those who had come from the north; some of them became acquainted and seemed to feel at home here almost right away, others more gradually, until finally about six hundred of them became affiliated and thoroughly identified with the southern Indians. On the other hand, there was Dull Knife and Hog, and a few

others, who separated themselves from the southern Indians, and from the Northern Cheyennes who had affiliated with the Southern Cheyennes, and camped by themselves, four or five miles right northwest from the agency here. Being separated, they became like two tribes—two distinct elements, I should say, the southern and the northern—and then our Southern Cheyennes called those who had separated from them the Sioux Cheyennes. These Northern Cheyennes—those of them that I have mentioned—separated themselves from the rest, and seemed to be pretty generally dissatisfied with the country. The first trouble that came up was with regard to our manner of issuing rations.

Q. You say about six hundred identified themselves with the southern Indians?—A. Yes, sir; I did not mean to be understood as fixing the number with exactness; I was just speaking in round numbers.

Q. How many of the Northern Cheyennes were there here in all?—A. Nine hundred and thirty-seven.

Q. Well, what was the dissatisfaction with regard to the manner of issuing rations?—A. The chiefs and young men—the soldier element, I might say, to be more particular in defining their status—wanted to do the distributing themselves. They wanted to have the beef turned over to them in bulk, and to take it and pour it out on the prairie, as we used to issue rations when we first came to this country, and then let the leading men make the distribution. We instituted a family ration check; I presume you have already seen it.

A specimen of a "ration check" was exhibited and put in evidence. It was printed on yellow card-board, and the following is a fac-simile:

27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52

CHEYENNE TRIBE.

WEEKLY RATION CHECK.

CHEYENNE AND ARAPAHOE AGENCY.

DARLINGTON, I. T., ———, 187—.

——— ——— and family: Men, ——; women, ——; children, ——; total, ——, or ——— rations.

JNO. D. MILES,
U. S. Indian Agent.,
Per ——— ———, *Clerk.*

[Over.]

26 25 24 23 22 21 20 19 18 17 16 15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

(On the reverse side of the above was printed the following):

Flour ..... pounds.
Hard bread ..... "
Coffee ..... "
Sugar ..... "
Bacon ..... "
Lard ..... "
Mess beef ..... "
Baking-powder ..... "
Salt ..... "
Soap ..... "
Tobacco ..... "
.....
.....
.....

[Over.]

WITNESS. That check, you see, is one upon which rations may be ed once a week for a year. I also issued a ration check calling for ons for a quarter—three months—of which this is a specimen (printed reen card-board):

WEEKLY RATION CHECK

For the quarter ending March 31, 1877.

Name of tribe, ——

—— —— AGENCY.

Band No. ——

Family No. ——

Men, ——; women, ——; children, ——.

Total, ——, or —— rations.

Issue day, —— ——

—— ——,

U. S. Indian Agent.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 Over.

Diagonally across the above is printed, in large capitals and with d ink, "First quarter, 1877"; and the reverse is as follows:

Beef ..... pounds.
Flour ..... "
Corn ..... "
Coffee ..... "
Sugar ..... "
Beans ..... "
Pork or bacon ..... "
Salt ..... "
Tobacco ..... "
Soap ..... "
Baking-powder or soda ..... "
Rice ..... "
Hard bread ..... "
.....
.....
.....
.....
.....

By the CHAIRMAN:

Q. Please explain why this change was made in the mode of issuing ions.—A. I had been satisfied for a great while that there ought to a change. In the first place, these Indians who made the distribu- n under the former arrangement were the leading war element; they uld take the lion's share of the rations issued, and give to the balance their respective tribes or bands just what they chose to leave.

Q. What occurred in consequence of this change?—A. One Monday

morning I went over to the corral to issue the beef, as usual. When I came back I found that the Northern Cheyennes were not receiving their rations by families, as I had intended. Some of the young men had gone and collected up all the family ration tickets, and then came and presented them *in bulk* to my clerk, demanding that the articles called for by the tickets should be issued them *in bulk*. My clerk did not know what to do about it, and I was absent, so he could not obtain instructions from me; and, to save trouble, he issued to them on the checks as they were presented. The issuing of rations for that day was not yet quite finished when I returned. My clerk at once informed me of the way matters were going on. I entered my protest, but the issuing was so nearly through that they went ahead, and had things their own way for that time. The leaders, who had drawn the rations, said that they "were going to do as they did up north." They went out on the plaza, poured out in bulk the articles they had drawn, helped themselves to all they wanted, and made a distribution of what was left among their people. They said that was the way they were going to have it after that. On hearing this I called them into my office, and through the interpreter, George Bent, I told them that our method of issuing rations was to heads of families. The women usually presented the family check, or the ticket for a particular lodge, and took the articles that were issued home with her, and cooked or prepared the food for that particular family or lodge. I explained to them that the government gave those rations for the benefit of the poor as well as of the rich, and made it my duty to see that each family got its share. Their argument in reply was, what was the use of the Indians having chiefs, unless those chiefs had something to do and some favors granted them more than were granted to ordinary Indians? "If you are going to do all that," they said to me, "what is there left for us to do? There is no object or advantage in being chief."

Q. Was this change in the mode of issuing rations made by yourself or by instructions from the department?—A. By instructions from the department, but upon my own suggestion. I submitted the original of that ration check to the department; the department approved it, had a number of them printed, and they were sent to the agency.

Q. What did you inform the chiefs should be done in future?—A. I told them there was no use in their talking about the matter; they might rely upon it that the rations should never be given out to them in bulk for them to divide. I should abide by the orders of the government. After that, the women brought the checks and took away the rations. The chiefs held council after council about the matter, with themselves and with the Southern Cheyennes. The Southern Cheyennes told them that I was traveling on the road made by the department, and they had better submit. The Southern Cheyennes, some of them—the soldier element—objected at first, but finally submitted quietly, without any interference in the matter whatever.

Q. What next, so far as you know, caused dissatisfaction?—A. They claimed to have had certain promises made to them by military officers up north. I cannot state from memory what all those promises were. I believe they said they had been promised that every chief was to have a nice white house built for him down here, and that they were to be furnished horses and wagons and other things.

Then, the sickness among them had something to do with their dissatisfaction, no doubt. There is no question about that, in my mind. The first season there was not so much sickness, though there was a good deal. They arrived in August, which was about as sickly a season

as there could be. When they were on the move they were not so likely to be sick as when they were located in camp.

Q. Did they suffer more than the other Indians that were here?—A. I think they did, especially after being in camp some time. July, August, and September is our malarial season here. They arrived here in August, in the midst of our malarial season.

Q. How were you equipped at that time as to medical service and medicine? They complain that they did not receive medical attendance and medicine; please state how it was.—A. I think they had reason to complain on account of lack of medicine.

Q. Why; wherein?—A. Because the medical supplies were not received. I would suggest that it would be well to call the doctor as a witness upon that point. In regard to matters of details, as to what medicines were deficient and when they gave out, and when supplies arrived, I cannot speak from my own knowledge, as he could. I simply know from memory that both medical attendance and medicines were scarce that season.

By the CHAIRMAN:

Q. What do you mean by both being scarce?—A. In the first place, we had but one physician here, and that was not enough. In the next place, there was not a good supply of medicines on hand at that time; some of the time we were entirely out of the medicines needed for the cure of the diseases then most prevalent.

Q. What other causes of dissatisfaction were there?—A. There was dissatisfaction expressed because we occasionally ran short of coffee and some other particular kinds of supplies.

Q. That is, you would not have the material here in bulk for distribution?—A. Yes, sir. Whatever there was in store the Northern Cheyennes always received, the same as the Southern Cheyennes and Arapahoes.

Q. But sometimes you were out of certain articles and then you could not issue them?—A. Yes, sir.

Q. Did I understand you correctly, that whenever a deficiency in rations occurred, in any particular article, you made up the deficiency by an increase in the beef ration?—A. Yes, sir; that has been my rule.

Q. Was that rule always carried out?—A. It might not have been on a few occasions when there was but a very small deficiency. My instructions from the department are that the regular rations shall be so many pounds of such and such articles—if the supplies on hand will justify; but if I have rations on hand for but one month, and have got to go on those rations for, say, two months, it is best to divide and issue half rations, and make up the deficiency in these other articles by an extra issue of beef.

Q. When, if at all, did they complain of the insufficiency of the beef ration?—A. I think that complaint has been made by almost every Indian at this agency.

Q And from the beginning until now?—A. Yes, sir; I have been able to find but very few Indians who would not say that they could eat more beef. Three pounds gross, or a pound and a half net, is the established ration of beef. We have, on occasions, received authority from the Commissioner of Indian Affairs to increase the rations to four pounds gross. I think that was done in the early part of 1877.

Q. The second year, how was it in regard to sickness and medical attendance and medicines?—A. We had an unusually sickly season here last year. Employés at this agency, men who had never been sick in

this country before, were taken down, as well as the Indians. It was a very unhealthy season.

Q. Did these Indians—the Northern Cheyennes—suffer more from sickness than other Indians, those who had been living here before?—A. Yes, sir; I think they did; my impression is that a larger proportion of them were sick, their sickness was more severe and a greater number of them died—that is, in proportion to their entire number—than of the Indians that had been living here before and had become acclimated.

Q. How was it with regard to your supply of medicines and medical attendance for last year?—A. I had my estimate of medicines in last year in good time, but the supplies were not received until the 17th of January, 1879, with the exception of a little quinine.

By Mr. PLUMB:

Q. Did you have medicine enough on hand at the time of this sickness last year?—A. Not a sufficiency by any means.

By the CHAIRMAN:

Q. Was there any unusual sickness among the Indians here last year? I think I heard something said about measles.—A. The measles were here in the spring of 1877, I think—before the Northern Cheyennes arrived.

Q. Was there no measles here last year?—A. I do not remember that there was any measles here last year; all the schools had the measles at one time, but my impression is that it was in the spring of 1877.

Q. Added to these special causes of dissatisfaction, was their preference for their own country?—A. Yes, sir; both before and after these special causes of dissatisfaction arose, from the time of their arrival here, in my own house and everywhere else, they have expressed to me their preference for their own country. Little Chief is just as dissatisfied to-day as ever; so is Crow and a portion of the Dull Knife Band. They do not conceal that at all.

Q. Were there any other special causes of complaint prior to the time those Indians under Dull Knife left?—A. I cannot call to mind anything further. Except measles, I do not remember any particular class of diseases, unless it may be that malarial fevers have been more virulent than before.

Q. When did you first receive information or perceive indications that those Indians who left were intending to leave?—A. It was but a very few days before they left that I had any reason to believe that they would take such a desperate step.

Q. What did you see or hear that gave you reason to believe that they contemplated any movement of that kind?—A. The first information I had of any intended movement of the kind was received through the Southern Cheyennes and Arapahoes. They complained to me that their best horses were being stolen, and they said they believed it had been done by the Northern Cheyennes, who were encamped in the black-jacks, five or six miles out.

Q. What did you do—what was done by any parties here to prevent their leaving?—A. I sent out my police—I had some Indian police here—to make full inquiry into the matter, and especially to see whether any of the young men belonging to these Northern Cheyennes were absent. I sent for Dull Knife, and Hog, and Crow, and Little Wolf, and asked them whether any of their young men had left or were about to leave. They said they were not—none of them had left, nor were any of them going to leave; it was all a "Southern Cheyenne and Arapa-

be lie." But our Southern Cheyennes and Arapahoes continued to complain of losing their horses, and still insisted that it was done by these Northern Cheyennes, and they explained to me why they thought the thieves were Northern Cheyennes and not white men. When I asked them whether it might not be white men that were depredating on their horses, they explained that the thieves would get a few good horses out of one bunch, and a good one out of another—always taking pains to pick out the best—while white men would just round up a bunch and run them off, regardless of the particular kind of horses.

Q. In other words, white men steal by wholesale, Indians by retail?—A. Yes, sir; that is about the way of it.

Q. When did you find that a part of the Indians were actually gone?—A. The subject was up from the 5th of September until the 9th—day and night, almost. The Southern Cheyennes gave me what they assured me was certain, positive information that these young men who had been picking out these good horses had made a camp away up on the Cimarron somewhere, and were running off the horses they had stolen into that camp with a view to getting a nice herd of horses for themselves preparatory to starting north. They had been almost dismounted, but some of their friends had given them good horses and they wanted to supplement them with other good horses. Subsequent information proved that these statements and suspicious of the Southern Cheyennes were entirely correct.

Q. What did you do in the meantime?—A. Of course I did not then *know* that their statements and suspicions were correct. I said to the Northern Cheyennes, "The Southern Cheyennes and Arapahoes say that some of your young men have left." They still denied it; then I said to the Northern Cheyennes, "In order to find which is telling the truth, the Southern Cheyennes, who say that some of your young men have left, or you, who deny it, I want you to report to my office, bringing your young men, and have a check of your enrollment."

Q. Can you fix the date of that?—A. I think it was on the 6th of September that I requested them to come in and be counted.

Q. Did they come?—A. They did not.

Q. What did you do then?—A. I consulted with Colonel Mizner; I called a council of those chiefs; Colonel Mizner was present on one or two occasions. I still insisted on an enrollment. The men who came to my office went home, I think, with the idea that they would succeed in getting their young men to come in and have a count; but the young men—the soldier element—put their foot down on that. The older ones actually commenced, on one occasion, to tear down their lodges, preparatory to coming in and being counted, but the young men utterly refused.

It was on the evening of the 7th that I had this talk with them, and that they commenced tearing down their lodges preparatory to coming in here to be counted. On the morning of the 8th I sent the doctor and Mr. Covington up to the camp of the Northern Cheyennes. They had made excuse, the Northern Cheyennes had, that some of their young men were sick, and could not come in. I said I would not ask young men to come in who were too sick to ride; I would send the doctor out to visit them, and do all that he could to alleviate their sufferings; and Mr. Covington would take the count of those whom the doctor excused. When the doctor and Mr. Covington returned, they reported that they had found a number of sick persons, but no cases of men being too sick to come in. They found the Indians very much excited over the matter; disturbed, at least. I had my scouts in their camp to find out whether

these young men really were gone or not, and if they were not gone off the reservation, to find out where they were. On Monday morning they reported to me that the young men had returned.

Q. Who reported this?—A. My scouts; from them I gained the information that the young men who had been away had returned. Confirmation of their statement I had none; but my own impression was that they had returned.

By Mr. MORGAN:

Q. Suppose in the meantime Colonel Mizner had sent out a force to watch them?—A. He did send out a force to watch them; he had sent out two companies of cavalry.

By the CHAIRMAN:

Q. When did Colonel Mizner send out those cavalry?—A. Late on the evening of the 5th. In the last interview I had with those people, on the evening of Monday, the 9th of September, I told them I would do them no harm; that all we wanted was a count of their young men. I told them that if they were all here the cavalry would be withdrawn at once; it would not interrupt any of them in their work; that if they were counted and found to be short ten or fifteen or twenty men it would harm them none; it would clear their skirts; we would find out who were gone.

Q. With whom did you have this conversation?—A. With Hog, and Crow, and Little Wolf.

Q. What reply did they make?—A. They did not make any reply to that. Colonel Mizner was there on that occasion; and when I was through with my talking, Colonel Mizner told them that the agent had acted right, and had made only a reasonable request; and he added, "If you don't come up and be counted, I will see that you do."

Q. Who was the interpreter on that occasion?—A. Edward G. Gerrier.

Q. What did they say in reply to Colonel Mizner?—A. I do not think they made any reply to that.

Q. What time of day was that?—A. It was just getting dusk, or a little before dusk, in the evening.

Q. What next occurred?—A. The next information I had was nearly three o'clock the following morning. About ten minutes before three on the morning of Tuesday, September 10, I heard some one rapping at the door of my quarters; on going to the door and opening it I found there American Horse, one of the Northern Cheyennes, and one of the police; either Little Medicine or Sunrise, I forget which, but at any rate it was one of the police; they said that the Northern Cheyennes had torn down their lodges and left, a little before the middle of the night; probably between ten and twelve o'clock. American Horse said he had been trying to get away from them for two or three days, and had been pleading with them to come in and be counted; and they would not permit him to leave the camp, on penalty of killing his horse; as soon as they started to move he left them—split off from the rest of the band, and came back to the Southern Cheyennes.

Q. What then?—A. I at once sat down and wrote a note to Colonel Mizner, giving him the information I had received; I then sent Mr. Darlington, one of my employés, to take the note to Colonel Mizner, and he did so; the note left my house about three o'clock in the morning.

Q. What further did you do?—A. Two companies of military were already out, you will remember. I sent word right out that morning

for my police to come in, telling them to go and join the party, and accompany them as guides; and a few of them did go.

By Mr. MORGAN:

Q. How many police did you have; and were they Indians or white men?—A. They were Indians, and there were seventeen of them. I do not think they all went, though.

By the CHAIRMAN:

Q. That is all you know, personally, about the expedition?—A. Yes, sir; of course it was not for me to instruct Colonel Mizner how to direct his troops. It was for me to give him the information that the Indians had left, and request that he pursue them and bring them back.

Q. Now, we may as well pass on to another matter: Have any of those northern Indians ever returned, or been returned to you?—A. O, yes; a few women, and Old Crow have returned.

Q. Those are all?—A. Yes, sir; the women are the wives of those men whom you met at Lawrence; and their children are here.

Q. Since the escape of those Northern Cheyennes, other Northern Cheyennes who had not been here before, have arrived?—A. Yes; the band under Little Chief.

Q. Are they dissatisfied, too?—A. Yes; they expressed their dissatisfaction from the moment of their arrival; it looked, during the early part of this spring, as though there might be another Dull Knife raid; the matter was presented to the department, and I was authorized to take Little Chief and five of his men on to the department; I did so, and there we had a talk with the Secretary of the Interior.

Q. Their complaint is about the rations and supplies of all kinds, and about the country?—A. Yes, sir; he has, though, since his talk with the Secretary of the Interior, submitted to his decision, and says he will not do anything so foolish as Dull Knife did.

By Mr. MORGAN:

Q. When did you first come to this agency as Indian agent?—A. I think I took charge of this agency on the 1st of June, 1872.

Q. At that time you took the Southern Cheyennes and Arapahoes, under your charge?—A. Yes, sir.

Q. I understood you to say awhile ago, that during all the time the Indians have been here, they have complained that their rations have been insufficient?—A. They have, very frequently.

Q. In making up your estimate for rations to be provided for the Indians, do you estimate for the full fiscal year, or for so many months?—A. For the full fiscal year.

Q. For full rations according to law?—A. For the established rations.

Q. Were those rations supplied to you by the government?—A. No, sir.

Q. Why were they withheld?—A. I have always understood it was on account of the funds being exhausted.

Q. How many months in each year have they been withheld, taking the whole time; about what percentage of rations has been withheld?—A. Take a year or two or three years, and I could give you just what it was; but it would be mere guess-work to say what per cent.

Q. Would the shortage amount to as much as three months in each year?—A. Yes, sir.

Q. How has that deficiency been supplied, if at all?—A. Usually, by these Indians being absent; it has run from three to five months. When the buffalo were here, I sent the Indians out on a hunt, and what

buffalo they brought in would partly bridge over the deficiency. The sale of their robes would also help them out. For three years before this, the deficiency was bridged over by dressing hides for the traders.

Q. In other words, the Indians by their personal labor and by hunting, would eke out the shortness of their allowance when the government failed to provide full rations?—A. Yes, sir.

Q. Has there been any difficulty during that time to get contracts to furnish supplies of meat, flour, corn, bacon, &c., if the funds had been on hand for the purpose of buying?—A. I think not.

Q. The supplies were within reach if you had had the means to purchase?—A. Yes, sir. We do not purchase the supplies, however; we merely estimate the amounts needed of the several articles, and they are supplied to us by the Commissioner of Indian affairs.

Q. Is there any longer any reliance to be placed upon buffalo as a source of supply?—A. I do not think there is.

Q. How long since the Indians could have supported themselves, or supplied themselves with food by hunting the buffalo?—A. Three years; for the past three years, taking into account the wear and tear of their lodges, the loss of camp equipage, and of ponies, they have come back worse than they went out. They have lived, and that is about all.

Q. Has it been the policy, when the supply runs out, to send Indians on a buffalo hunt, or has it been the policy to try to distribute the allowance for nine months over the whole period of twelve?—A. I think I have made use of both means.

Q. You have held back the rations?—A. No, not held them back; that is, not withheld them entirely. I have distributed them so as to let them run as far through the fiscal year as possible when we were short of supplies at the agency.

Q. But the Indians have never, in fact, received more than nine months rations out of the twelve?—A. I think not.

Q. How has it been with the annuity goods since these Northern Cheyennes came down here?—A. There have been two issues; one last year, and one the year before.

Q. Did you issue in October?—A. I believe it was in October. I could tell by looking at my books.

Q. In what manner were those issues made, to the chiefs of bands, the heads of families, or how?—A. To the heads of families. Since these family tickets were got up, annuity goods, as well as rations, have always been distributed to the heads of families.

Q. Are the annuities issued on checks similar to these ration checks?—A. We use the ration checks themselves. We make a mark upon one corner of the check which *we* understand, so as to prevent our paying out goods upon the same check twice.

Q. On the ration check, I see, you make out an itemized statement of the goods issued; have you any paper containing an itemized statement of the annuity goods issued to the Indians?—A. Yes, sir.

Q. Let me have one of them, if you please. (A specimen sheet was handed to the chairman.) In issuing annuities, you furnish the heads of families with a check or paper similar to this?—A. No, sir; nothing other than the ordinary ration check. The head of a family or some member of a family presents this check. Last year, in order that we might not repeat—that is, issue goods to the same persons twice—we adopted this plan: In the first place, an officer of the United States Army stood with me, as the law demands, to see that the goods were fairly and honestly distributed. When I receive a check, another man *makes* a record to show that I have received it. Then I call out the

number of men, women, and children in the family—total, so many. We have a lot of clerks stationed around. One clerk distributes calico, another some other article, and so on throughout the list; and when the clerks announce to me that the distribution of goods to that family is finished, I punch the ticket (so as to know it immediately if it should be again presented), and hand it back to the person from whom I received it. Last year I punched close to the first letter, the "W" in the word "Weekly," on the face of the ration check.

Q. From what stores are you supplied with annuity goods, or from what point do you get them?—A. From Wichita, Kans.; that is, the railroad terminus.

Q. Do you make the purchases of annuity goods, or are they issued to you by the government?—A. They are consigned to me by the Indian Department; having been purchased by the Commissioner of Indian Affairs, under the supervision of the Board of Indian Commissioners.

Q. Then you have nothing to do with the selection of the goods sent here?—A. No, sir; nothing whatever.

Q. You have only to issue the goods in accordance with the law?—A. That is all, sir.

Q. The quality of the goods does not depend in any way upon your judgment or suggestion?—A. No, sir; I sometimes, in forwarding to the department my estimates, make a special note as to what I regard as a necessity, in regard to some certain article. I can show you the annual estimates that I send out.

Q. In what way do you supply the children at the school—the mission—with annuity goods?—A. We have a school contractor; we enter into a contract with an individual, and the contract provides that the clothing and other goods necessary for the subsistence and comfort of the children in the school shall be issued upon the requisition of the school contractor.

Q. Do you issue the goods to the school contractor?—A. Yes, sir.

Q. He makes a requisition upon you, and you fulfill the requisition?—A. That is the way of it.

Q. Where are those goods stored until needed for the children's use?—A. Over at the mission—the school building; he has employés to manufacture them into clothing.

Q. Then, if I understand the matter correctly, the children are separated from their families, and considered as a distinct community?—A. Yes, sir.

Q. Dropped from your other rolls entirely?—A. Yes, sir; aside from the camp Indians; so far as the issuance of annuities and subsistence to the school children, the school proper, is concerned, it is made out on a distinct roll.

Q. What clerks are employed by you in the issue of annuity goods; your own staff, your own men?—A. I have frequently had help from the post. Colonel Mizner has often kindly furnished me a part of the help; sometimes I have had somebody else from the post. In order to make a prompt issue, to get along with anything like dispatch, we have got to have somebody with each separate article; that would take more employés than I have, and that is the reason why I have obtained help from the post. It needs one to have charge of the blankets; another the pants; another the shoes; another the hats, and so on, running through the whole list. We arrange the goods upon the counter, each class of goods in a separate pile by itself, and place each man in charge of his own pile or kind of goods.

Q. In this issue of annuity goods, do you ever have any surplus left over?—A. Sometimes there is a surplus left over.

Q. What do you do with the surplus, carry it to the next year's account?—A. Last year we were authorized to issue the small surplus we had, in part payment for work, to those who could be induced to work.

Q. You say there have been two issues of annuity goods since the Northern Cheyennes came down here?—A. Yes, sir.

Q. Can you give the names of the officers who were appointed by the government to come and supervise the issue of your annuity goods, for those two years?—A. Year before last it was Captain Fletcher.

Q. Is he here, at this post?—A. No, sir; he is east, in the recruiting service.

Q. What is his full name?—A. I think his initials are "J. S."

Q. Does he belong to this command now?—A. I think he does.

Q. But is absent now on recruiting service?—A. I understand so. Captain Fletcher also supervised an issue of annuity goods that were issued in June, 1878; these were goods intended for that portion of the Northern Cheyennes who remained north when Dull Knife and his party came to this agency; under instructions from the Indian Office they were given to the Indians here, as an inducement to labor. The issue of annuities in November, 1878, was supervised by Captain Sweeny; but he was ordered on detached service immediately afterward. Two or three hundred of the Indians did not receive their annuities then, because they were absent on a buffalo hunt; they received theirs later, as also did Little Chief's party, who had not yet reached this agency when the general issue took place. This last issue was surpervised by Captain Barber.

Q. Who detailed these officers?—A. The commanding officer of the post.

Q. Have any of the Indians ever made complaint to you of shortage in the issues of annuity goods?—A. Yes, they have occasionally done so; nothing specific has ever been presented to me, but such complaints have been made. Sometimes they get provoked, or vexed, and say that the goods have been hid away, or stolen, or something of that kind.

Q. Are not the Indians generally a very jealous and suspicious people?—A. Well, yes, sir; I think I can say they are.

By Mr. DAWES:

Q. Are your annuity goods issued, a certain number of specific articles to each individual, or so much of goods to each individual, he having his choice and being permitted to take what he needs most?—A. A list of specific articles is made out—so much of men's wear to the men, and so much of women's wear to the women.

Q. Suppose a man wants two pairs of pantaloons, but does not want a coat; can he take two pairs of pantaloons instead of one pair of pantaloons and one coat?—A. We have not usually issued in that way. Sometimes, when there are not enough goods to go around, we have to use some discretion.

Q. Your theory is, to deliver certain specific articles to each individual, whether he needs another article more than that or not?—A. Yes, sir.

By Mr. MORGAN:

Q. You have a roll containing the name of every Indian under your charge?—A. Yes, sir.

Q. In making estimates for the government, do you make an estimate of certain specific articles for each Indian?—A. We have a roll containing the name of every Indian under our charge.

Q. And your requirement is made upon that basis?—A. Yes, sir.
Q. The government expects you to give a certain specific article to each Indian?—A. Yes, sir.

By the CHAIRMAN:

Q. It was made a matter of complaint before us yesterday, that in distributing these annuity goods, the muslin, and calico, &c., was torn up into such small pieces that it was of no use to the Indians, instead of being given them in larger pieces, from which they could make some article of wearing apparel. Now, suppose that a family of six persons are entitled to a certain number of yards of calico—say three yards each, or eighteen yards in all; do you tear up that calico into six pieces of three yards each?—A. No, sir; we give it to them whole, and leave it to them to divide it, or do what they choose with it. We have taken this much liberty sometimes: in the case of two persons in a family, we have given more of one thing to one, and more of another thing to another; thus, in giving out calico and muslin, we might give to one all calico, and to another all muslin; for in the case of so small a family, if the calico and muslin were divided equally between them, the pieces would be too small to be of any use to either.

By Mr. MORGAN:

Q. Can you furnish the committee a list of the annuity goods you are authorized to issue—annuity goods, in distinction to implements of agriculture, &c.—so that we can see the amount of goods going to one individual?—A. The annuity goods are provided for by treaty; that is, the treaty provides a certain amount of clothing for each person; but I think the Commissioner of Indian Affairs has used a certain amount of discretion; he used to send blankets and strouding; but that has been changed, and they are not sent as annuity goods any more.

Q. Are any axes, plows, hoes, implements of agriculture, or cooking implements, knives, or anything of that sort included in the treaty by which your distribution of annuity goods is regulated?—A. I so understand it; they are sent here by the department, as a part of the annuity.

Q. So when you issue a plow or a hoe—— A. I ought to say, by way of explanation, that there is another fund, called a "beneficiary fund," of $20,000 a year, for the benefit of this agency; I think the knives and smaller hardware are purchased from the annuity fund, though I am not certain just *what* funds the different purchases are made from; and I have reason to believe that the plows and agricultural implements are bought with the money from that $20,000 beneficiary fund."

Q. In giving out annuity goods you understand what is included and what is not included?—A. Yes, sir.

Q. And you do not, under that list, give out plows, hoes, &c—A. We do not; but sometimes, where something of that sort is left over, we issue such things in addition to the annuity goods.

Q. In lieu of annuity goods?—A. No, sir; *in addition* to them. For instance, axes to the men who are chopping wood for us; we give them that much advantage over the others.

Q. Because they work?—A. Yes, sir; we are authorized to increase the rations of Indians who work, not to exceed double the ordinary rations in amount.

Q. When you first came here as agent of these two tribes, the Arapahoes and Cheyennes, did you locate here in this particular spot?—A. The agency was located here in 1870; I came here in 1872.

Q. You have never been anywhere else?—A. No, sir. I held an ap-

pointment as agent for the Kickapoo Indians, but I was first assigned to duty at this point.

Q. When you came here were there any Indians in the reservation north of the Cimarron, between that river and the Kansas line?—A. No, sir.

Q. All the Arapahoes and Cheyennes have been between the Cimarron and the Canadian ever since you have been here?—A. Yes, sir.

Q. Has any question ever arisen, since you have been here, between the government and the Indians as to whether that country between the Cimarron and the Kansas line, or this country between the Cimarron and the Canadian, was the true reservation of the Arapahoes and Cheyennes?—A. Yes, sir; there has been such a question.

Q. Have the Indians made the question?—A. Yes, sir; the question was sprung by them; and inasmuch as this region down here had been assigned them by law, the Commissioner of Indian Affairs authorized me to take a delegation of Indians to Washington to settle the reservation question, and also to meet the Northern Cheyennes. We went to Washington in the winter of 1872–'73.

Q. Since you have been at this agency have any of the Indians applied to you for personal reservations of land to be assigned to them individually, and a paper title given them?—A. No, sir.

By Mr. DAWES:

Q. Have you suggested any such idea to any of them?—A. No, sir.

By Mr. MORGAN:

Q. Has the question ever arisen between you and the Indians as to whether you have the right, or would have the right, to locate them in the reservation between the Cimarron and the Kansas line?—A. I think I presented the question to the department as a matter of my own suggesting—not suggested by the Indians.

Q. You presented that question to the department yourself?—A. Yes, sir; in order to secure to these Indians a permanent right.

Q. The Indians in this present territory select their land for themselves, and state what they desire to cultivate, if they desire to cultivate anything?—A. Yes, sir; I do not dictate to them where they shall settle. I have sometimes gone so far as to say to an Indian who contemplated settling down somewhere and going to farming, "A white man, in making his selection of land for a home, takes three points into consideration—good soil, good water, and good timber." That is the nearest I have ever come to defining or fixing any place for an Indian to settle.

Q. Can you give the committee any definite idea of the number of farms that have been settled upon and placed under cultivation by the Arapahoes and Cheyennes on your agency?—A. Well, there are a good many places, that is, patches, as you might say; I hardly know whether you would call them "farms." If an Indian opens up an acre of ground and cultivates that well, I think it is better than to open up a hundred-acre farm under a white man.

Q. Can you give us no idea as to about how many?—A. I do not think I could. Mr. Covington is head farmer and knows more about that matter than I do; you could get a more correct statement on that point from him.

Q. Do you consider that the Indians are really making any progress in learning the art of agriculture?—A. Yes, I do.

Q. Are they making any progress in the matter of crops—raising better and larger crops?—A. Yes, sir; this season, however, has been an

ıceptional season; it has been very unfortunate for them on account the drought.

Q. How has it been in regard to that in the former seasons since you ıve been at this agency?—A. You cannot count with any certainty ı sufficient rain in any particular year to farm it successfully. Some ıars you will have rain enough, but every third or fourth year a drought ill come, and you will lose your crop. Ever since I have been here e have lost one crop out of four at least. If you could know at the ıginning just when to plant corn you could generally get a fair crop; ıe season by planting early you could get a good crop, the next season ou could get a good crop by waiting and planting late; but as you annot know what the weather is to be beforehand, one season you will lant your corn early when you might have saved it by waiting and lanting late; then the next season you will wait and plant late, and in hat year it will turn out it would have saved your crop to have planted arly. So the drought, and the ignorance as to when it will come, make arming very uncertain business in this territory.

Q. Has the government authorized you to distribute seeds to the Indians?—A. Yes, sir.

Q. Of what kinds?—A. Corn, beans, melons, and garden seeds generally.

Q. Has the government made any effort to provide wheat for them to ow?—A. No, sir.

By the CHAIRMAN:

Q. Is it not supposed that wheat will grow here?—A. I have my own ideas about that. My impression is that you can raise wheat on certain lands; for instance, on some of the land between the North Fork and the main Canadian; the land there is not so rough and sandy as the most of the land you have come over.

Q. Would you think of raising it as a winter crop?—A. Yes, sir, entirely.

Q. How are the rains during the winter?—A. It rains considerably some seasons, but some seasons it is very dry.

Q. How is the weather in the winter as to temperature, cold or moderate?—A. It is generally moderate; but I have suffered from cold here as much as I ever did in Ohio or Indiana. The winds from the north are terrible here sometimes.

Q. Is there much snow here?—A. The snows here are very light.

Q. Do you have to have forage for cattle?—A. It is not necessary for cattle that have been raised here.

Q. What do they feed upon in the winter?—A. On cured grass.

Q. The snow does not interrupt the grazing?—A. Only occasionally; ast winter was an unusually hard winter for grazing; there came a eavy sleet, covering the buffalo grass, so that our cattle had to go down o the timber to browse, and pick out the little green grass.

Q. Did that kill any of your cattle?—A. None of those that were aised here; the Texas cattle, that came from the south and were not cclimated here, some of them died.

By Mr. DAWES:

Q. Mr. Miles, you say you distributed to the Indians seeds, such as eans, melon-seeds, and the like; in what quantities did you distribute hem?—A. We have have usually taken into consideration the number hat we thought would be likely to engage in the work of farming. Mr. ovington, who is well acquainted with what the Indians are doing in his line, and with the size *of their patches*, has usually had charge of

the distribution of seeds; in fact, I have invariably put him in charge; and I would refer you to him for information in regard to that matter.

Q. Can you tell whether the distribution continues to the same persons, year after year, or whether in different years the seeds are distrbuted to different persons?—A. The same persons frequently come back with additional persons who are anxious to procure seed.

Q. Do you know whether any of them have any idea of preserving seeds for themselves?—A. They invariably save melon-seeds; Indians are very fond of melons.

Q. If they know enough to save melon-seeds, would there be any difficulty in their saving other seeds if they were personally instructed in regard to such matters?—A. We have been talking about that matter to them of late; but this season they have made such a failure in the most of their corn patches that they won't have much to save.

Q. Melon-seeds, and other seeds of that kind, are worth nothing for food, but corn, beans, and the like are good for food as well as for seed; so I did not know but they might save melon-seeds, and yet eat up the other kind of seeds.—A. Heretofore they have eaten their beans right up without saving any for seed.

Q. So if you give them beans, and things of that sort to plant, you will have to repeat the gift next year?—A. That has been the experience in the past.

Q. The Commissioner of Indian Affairs has recently issued instructions requiring agents to request Indians to save their seeds; have you had any experience on that head?—A. The instructions came to hand only a few days ago.

By Mr. MORGAN:

Q. You spoke awhile ago about an issue of three pounds of beef on foot being considered equivalent, in the regulations of the government, to a pound and a half net; now I will ask you whether an issue of beef on foot, of three pounds, to the Indians, the way they use beef, is not really more to them than a pound and a half net would be to a white man?—A. Undoubtedly it is.

Q. I understand, and ask you whether it is true, that they eat up the whole beef, even including the entrails; that they empty the intestines of their contents, and use all the balance?—A. Yes, sir; they do this, not because they are obliged to, but from choice.

Q. They are allowed to retain the hides, are they not?—A. Yes, sir.

Q. Is this allowed them by government, under any provision of the law?—A. Well, really, I do not know about that; they have just been given the whole animal on foot, and been permitted to keep the hides; they sell the hides to the trader for two dollars each.

Q. Do they sell them dry or green for two dollars each?—A. Green.

Q. Without reference to the size?—A. Yes, sir.

Q. Is there any restriction against their selling the hides where they please?—A. None at all; Mr. Covington has frequently told them it would be a good plan to take them to Wichita, and sell them there.

Q. They have the right to go there with them if they choose?—A. Yes, sir.

By Mr. DAWES:

Q. What is the experience in that regard, when the Indians go to town and sell anything; do they waste the money they get for it, drink it up, or squander it in any other way?—A. No, sir; so far as getting drunk is concerned, we have run a wagon-train, driven by Indians, to Wichita for three years and over, and have never had a drunken Indian yet.

Q. Do they waste their money, or bring it home? Have they any such idea of property that they take care of what money they get?—A. They almost invariably spend it for saddles, or clothing, or something of use to them that is not furnished them by the government.

By Mr. MORGAN:

Q. What is the precise relation of a trader and an Indian agent? Is the trader under the control of the agent, to any extent?—A. Yes, sir, to some extent; the trader is entirely under the control of the Commissioner of Indian Affairs; he is required to make out a list of his goods, with their prices, and put one list on file in my office, and send the other to the Commissioner of Indian Affairs.

By the CHAIRMAN:

Q. You have no control over his price-list?—A. I have not so understood it.

By Mr. MORGAN:

Q. You have exercised no control?—A. I have spoken of it.

Q. Do you know how his prices compare with those of the post-trader?—A. They are about the same; they do not dare to sell to Indians at rates different from those at which they sell to whites; that is the law.

Q. The Indians have made complaint to us that the half-breeds in the store, the interpreters, cheat them. Have you any reason to believe that that is a just complaint?—A. This is the first intimation I have ever had of any such complaint. The half-breed interpreters have nothing to do with the prices at all; if they are unfair, unjust, or take advantage of the Indians in any way, the latter ought to complain at once to the trader himself; and if he does not see the matter righted, let them make known their grievances to me, and I will correct it.

By Mr. DAWES:

Q. Do you know of any instances where the trader or the interpreters have sold to Indians at prices higher than those set down on the price-list filed in your office?—A. No such complaints have ever been made to me. Mr. Bent and Mr. Gerrier are the two interpreters; the traders have never made any statement other than that they believe them to be perfectly reliable and honest men.

By Mr. MORGAN:

Q. The Indians suggest that it would be to their advantage if there were more traders.—A. We have invited them to come. We concur in that opinion.

Q. This gives a monopoly to one man?—A. Yes, sir.

By Mr. DAWES:

Q. How could that benefit the Indians if the traders come here with fixed prices?—A. They don't come here with fixed prices. They fix their own prices, and report them to the Commissioner of Indian Affairs. Since the matter has been in the hands of the Commissioner of Indian Affairs, two or three different parties have been licensed to trade at this agency.

Q. But have not come?—A. Most of them have come, but went away again. I offered them every facility. They could have had a building-spot here at any place at all. The last party made partial arrangements with the present trader for the sale of that old building. Mr. Evans, in fact, built this new building.

Q. Did Mr. Evans get a license to trade here?—A. Yes, sir.

Q. While post-trader over at the fort?—A. No. N. W. Evans is the trader over there, and J. S. Evans is the one that was licensed to trade here.

By Mr. MORGAN:

Q. Do Indian traders build their own houses?—A. Yes, sir.

Q. Indians are not permitted to trade with post-traders at all?—A. No, sir; except the scouts; enlisted scouts, I believe, are permitted to trade there.

Q. In the character of soldiers?—A. That is my understanding. Mr. Evans told me that was the custom at all the different posts, and I did not object to its being done here. I saw no reason to object.

By Mr. PLUMB:

Q. In making out your requisition for annuity goods, did you make out the requisition in accordance with the provisions of the treaty?—A. No, sir; I cannot say that we did.

Q. On what basis did you make out your estimate for goods?—A. Usually on the basis of furnishing one good suit of clothing for each individual.

Q. Have you furnished one good suit of clothing to each individual each year?—A. I think we have.

By the CHAIRMAN:

Q. We might get at the idea a little differently. Do you make out a list of the articles you want and forward that list to the department, or do you send a list or roll of the people?—A. We send both a roll of the people and a list of the articles wanted; a printed list is sent—blankets, &c.

By Mr. DAWES:

Q. On that printed list you make a requisition of so many articles, selecting therefrom the articles you desire?—A. Yes, sir; we make a selection from the variety of articles named on that printed list to select from.

Q. Is that requisition final, or is it controlled there?—A. It is controlled entirely there. Our estimate for this agency last year footed up enough to almost take the appropriation for these three agencies.

Q. You are governed somewhat, in making your estimates, by your own judgment of the needs of the Indians?—A. Certainly, sir.

Q. And according to your judgment and experience of his needs, you make out your requisition in such a way as to secure, as nearly as possible, one good suit of clothing for each Indian once a year?—A. Yes, sir.

Q. You made out a requisition for what you deemed necessary for that purpose last year, and on footing it up you found that to fill it would take almost the entire appropriation for these three agencies?—A. Yes, sir.

Q. This agency and what two others do you refer to?—A. Well, counting subsistence——

Q. I am speaking now of the annuity.—A. No, not in annuity goods alone.

Q. Well, now, speaking of annuities alone, how did this requisition which you say you made out in accordance with your best judgment compare with the appropriation made by Congress for this agency for that purpose?—A. The appropriation made by Congress was $14,500, I think, and my requisition for annuities was $47,194.

Q. You made a requisition, then, according to your best judgment, the needs of each Indian at your agency, which amounted to a little er forty-seven thousand dollars, and Congress appropriated, accord- to their judgment of the needs of the Indians for the same thing, r much?—A. They appropriated just whatever the treaty provides.
Q. How much was that?—A. I was just looking to see how much it s; here it is, fourteen thousand dollars.
Q. You think Congress appropriated all that the treaty required?— That is my understanding of the matter.
Q. Then, according to your judgment of the needs of each individual lian, to secure him a suit of clothes once a year, or its equivalent, re was necessary to be appropriated more than the treaty requires, all the difference between fourteen thousand and forty-seven thou- id dollars?—A. No; not just for clothing.
Q. Then it seems that we fail to understand each other, somehow; us come back and cipher out this matter again. You make a requi- ion for clothing for how much?—A. In order to answer that I would re to separate the clothing from the other goods and foot it up sepa- ely.
Q. Then it is not worth while to spend the time.—A. That footing e witness pointing to the total at the bottom of the list) includes, u see, *all* the annuity goods.
Q. Yes; then while I have been talking about clothing alone, you ve been talking about all kinds of annuity goods. But to proceed: u make a requisition for annuity goods amounting to forty-seven usand dollars; Congress appropriates for annuity goods only four- n thousand dollars?—A. That is for clothing.
Q. Now we will get the other.—A. Twenty thousand dollars is a neficiary fund—a fund for beneficiary purposes; how much of that is braced in what that estimate covers I cannot tell; it never has been en to me.
Q. Tell me this: Did Congress appropriate for annuity goods all that deemed the necessity of the Indians for those goods required?—A. , sir; I do not think it did.
Q. How much did the appropriation made by Congress for annuity ds fall short of what you deemed the necessities of the Indians re- red?—A. Merging the appropriations for the clothing and for the er goods together, fourteen thousand and twenty thousand would be rty-four thousand dollars, which is all that could possibly have been ended for those annuity goods; and there could not have been that ch expended, for I know that out of this twenty-thousand-dollar neficiary fund comes a lot of wagons.
Q. You had for annuity purposes how much money appropriated?— For clothing fourteen thousand dollars and for beneficiary purposes nty thousand dollars; but I do not know how much of that twenty usand dollars was expended for annuities; I only know that it ld not all have been expended for that purpose, for some of it I w was used for other purposes.
Q. The fourteen thousand dollars and the twenty thousand dollars kes thirty-four thousand dollars; now let me understand—this ers *all* the appropriations that you had from which to supply these ds?—A. Yes, sir.
Q. Still you make a requisition, because in your best judgment you nk it is needed to supply the wants of the Indians under your charge, ver forty-seven thousand dollars?—A. Yes, sir.
Q. Therefore, assuming *that you made* a requisition for no more than

you deemed necessary, there was a deficiency of at least thirteen thousand dollars?—A. Yes, sir.

Q. How did you get along with that deficiency; how did you manage to make thirty-four thousand dollars worth of goods supply forty-seven thousand dollars of necessities; how did you distribute the goods when they arrived; did you give to each Indian as he came along what he asked for, or did you undertake to expend the thirty-four thousand dollars of forty-seven thousand dollars of necessities as well as you could?—A. That is just what I did.

Q. Then you did not give to each Indian all that you really thought he needed, but tried to make thirty-four thousand dollars do the work of forty-seven thousand?—A. Yes. sir.

Q. In your opinion, did this lack of over thirteen thousand dollars distress the Indians here?—A. Well, now, I do not think I can recall to mind any particular case of actual distress; of course they went without some things that it would have been very convenient and comfortable for them to have had.

Q. Did the Northern Cheyennes suffer any of the inconvenience and discomfort from that shortcoming of the appropriation?—A. They did last year, but not the year before; the year before the appropriation was made for the Northern Cheyennes distinct from the others.

Q. The year previous to the outbreak they had a distribution, or an issue, in the line of annuity goods, as far as, in your opinion, their needs required?—A. Yes, sir.

Q. Under a separate appropriation, if I understand you correctly?—A. Yes, sir.

Q. So that whatever causes of complaint they might have had, after coming down here and before a portion of them started north, no part of it, in your judgment, ought to be attributed to any lack of annuity goods?—A. No, sir; I think they got a very good issue.

Q. Since then, you think that they, in common with all the other Indians here, have had to suffer some inconveniences and discomforts on account of a lack of annuity goods?—A. Yes, sir; the last appropriation was made in common. I was notified by the department that after the 30th of June, 1878, there would be no necessity of keeping separate accounts between the different tribes.

By Mr. PLUMB:

Q. Did the year in which the appropriation was short cover the year in which a portion of the Northern Cheyennes escaped?—A. No, sir.

Q. Did they not escape during the last fiscal year?—A. Yes, sir.

Q. Was not that the year in which the appropriation was short?—A. Yes, sir; it was.

By Mr. DAWES:

Q. Was the year in which they escaped the year in which they received annuities under the appropriation which you have said was insufficient?—A. That was the year in which the appropriation was made, but they did not remain to receive any benefit from it; the goods were not distributed until after they had gone away.

Q. Had the ordinary time of the distribution of annuity goods arrived before they went away?—A. It had not; the goods are sent out to the different agencies in October; but they were not here in October, until arrangements were made for the Indians to haul their own supplies.

Q. Does this plan of having the Indians haul their own supplies work well, in your opinion?—A. I think it does.

Q. What compensation do they receive for hauling those supplies?—

My proposition to the department, and accepted by it, was to buy gons, from the funds applicable to the transporting of supplies, and the Indians work out the full value of the wagons in transporting pplies, at the rate of $1.75 per hundred-weight. In this way they pay the wagons and harnesses.

By Mr. MORGAN:

Q. Everything but the stock?—A. Yes, sir.

By Mr. DAWES:

Q. Does this method of transporting your supplies cost the governnt as much as heretofore when that work was let by contract?—A. , sir; before that, when the work was done by contract, the price was .10 per hundred-weight.

Q. Does this plan of hauling their own supplies please the Indians?—s, sir; it does, very much.

Q. Does it seem to spread among them a desire to participate in the ork?—A. Yes, sir.

Q. Do they make good use of their wagons and harness after having id for them?—A. Yes, sir; excellent use.

Q. What do they do with them? What use do they make of them, sides bringing their supplies from the railroad?—A. They do jobs of rious kinds, such as hauling wood; the principal use they make of em is that of hauling wood to their camps; this takes a great deal of bor off from the squaws, who have had it to do heretofore.

Q. Do you, or any of your attachés, aid them in trying to get employent for their teams?—Yes, sir; we take that as an especial duty; the dians are now at work putting up and hauling in three hundred tons hay, over at the post.

By Mr. MORGAN:

Q. *Cutting* and hauling?—A. Yes, sir.

By Mr. DAWES:

Q. Does it contribute to their efficiency for white men to work with em?—A. Certainly it does.

Q. Do they readily obey the instructions of white men?—A. Yes, sir; hen a white man once gains their confidence, he can get them to do most anything.

Q. Do they manifest a desire to become proficient themselves in the anner of doing such work as white men are generally engaged in?— . They do manifest a very great desire to learn how to do such work d to become proficient in it.

Q. If you had the means and efficient, proper men of your own selecn, could you, in your opinion, get the Indians in the way of raising ck?—A. I think we could, some of them, by degrees. Those cattle—peak without intending to be understood as finding fault—but those ttle that were delivered to the Northern Cheyennes by General Macnzie did not last them long. If some man had had in charge about many of these families as he could oversee, and intrusted them with ew cows, he could have secured their protection until they grew into erd. I am quite sure it might be done now; three or four years ago could not.

Q. In which tribe?—A. Either one; these Northern Cheyennes, ould not like to trust them much. When the Secretary of the Inte- was offering cattle to Little Chief, he objected; he said he did not nt them; but one of the young men suggested to Little Chief, "Take m and we *can eat them.*"

Q. Do you consider it more difficult to introduce the white men's ways of living among the Northern Cheyennes than among the other Indians here?—A. Yes, sir.

Q. Do you understand that a portion of the Northern Cheyennes are contented here?—A. I think they are.

Q. Do they manifest as much disposition to enter upon agricultural pursuits as the others?—A. Yes, sir; I think so. Living Bear and Standing Elk made a request for wagons, and they got wagons and are using them now.

Q. Who takes care of these teams, the men or the women?—A. Well, both.

Q. When they go up to Wichita to haul down their supplies, do they ever go alone without a woman?—A. Yes, sir; but they like to have a woman along. I do not wish to dodge that question.

By the CHAIRMAN:

Q. Do they grease their wagons?—A. O, yes, sir; Mr. Covington has been wagon-master for two years, and can tell you more than I can about these things.

By Mr. PLUMB:

Q. Have all the Indians who wanted them had agricultural implements furnished them?—A. Not of all the different kinds; this year there has not been enough; some things there are plenty of, other things not.

Q. What is the reason of the failure to have a full supply of all the articles named in the rations?—A. I could not tell.

Q. Do you know of any reason why all the flour, sugar, coffee, beef, beans, &c., to which these Indians are entitled, could not have been furnished promptly as required?—A. I know of no reason further than the one they usually assigned, "No funds on hand."

Q. As you understand it, contracts are let at one time in the year for the entire year, are they not?—A. Yes, sir.

Q. Is there any reason why there should be any deficiency after that date?—A. Not if they would fill the entire estimate I send in.

Q. Is there any physical obstacle in the way of the delivery of these articles here?—A. No, sir; we could transport ten times as much as we do now.

Q. The delivery or non-delivery of the goods is something with which the agency here has nothing to do?—A. It has not had heretofore, but now that we have taken upon ourselves——

Q. I mean heretofore; was the beef supply short last year?—A. The original contract was short; there was a deficiency of a million pounds allowed for May and June.

Q. I did not mean for the fiscal year, but for the calendar year; was the beef supply short of the amount required by treaty?—A. It was not, in fact; it was exhausted, so that we had to get it by——

Q. You did get it, and so you did have the beef.

Q. You mean to say that every week you delivered to every Indian every pound of beef to which by law he was entitled?—A. Yes, sir; every time.

Q. Was the beef good in quality?—A. Well, it was not grossly bad.

Q. Now, if it be the fact that every week last year you delivered to every Indian every pound of beef to which he was entitled under the treaty, what do you mean by stating to Senator Morgan that the beef supply was from three to five months short?—A. That was not last

year—not 1878; when I speak of "years" I mean from June 30th to June 30th—fiscal years.

Q. How was it with the fiscal year ending with the 30th of last June?—A. We had plenty.

Q. Did yon have all the flour required to make a full ration?—A. No, sir; we did not.

Q. Do you mean by that that the gross amount was not sent here to be distributed, or that at particular times the flour was not here?—A. It would apply to both; at particular times there was no flour here at all, and the gross amount was short.

Q. At what times were you out of flour?—A. I could not speak from memory as to that; I would have to refer to my books.

Q. Can you not tell what portion of last summer, and state whether you were out of flour for one, two, three, or four issues?—A. I should say three or four issues.

Q. How much was the gross amount short of the full amount you should have had?—A. I could not say.

Q. What was the gross amount of beef received during the year ending June 30, 1879?—A. I cannot state from memory; if you desire, I will examine my books and furnish you a statement in writing.

Witness was requested to do so; and afterward did so. (See appendix, Exhibit "A.")

Witness was also requested to furnish a similar statement as to the amount of flour received during the same year; and afterward did so. (See appendix, Exhibit "B.")

By Mr. PLUMB:

Q. I wish now to refer you to the treaty between the government of the United States and the Cheyennes and Arapahoe tribes of Indians, proclaimed August 19, 1868, and to inquire how far the provisions of that treaty have been fulfilled, so far as you are concerned. That treaty provides that the United States shall deliver, "on the fifteenth day of October of each year, for thirty years, the following articles, to wit: For each male person over fourteen years of age, a suit of good, substantial clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of home-made socks." Now I will ask you, Mr. Miles, whether you have delivered to each male person over fourteen years of age, among these Indians, a suit of good, substantial clothing, consisting of coat, pantaloons, flannel shirt, hat, and a pair of home-made socks?—A. I do not believe I have.

Q. Have you delivered "to each female over twelve years of age" what is required by the treaty: "a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics?"—A. Perhaps not exactly in kind.

Q. Well, have you delivered the equivalent of those goods?—A. I would hardly be able to state positively without looking at my lists; when we get our annuity goods in, we make out a list of what we can give to each person.

Q. Have you given to each male and female Indian, each year, the equivalent of these things mentioned in the treaty?—A. I do not believe I have.

Q. Why have you not issued to these Indians the articles mentioned in this treaty or their equivalent?—A. Simply because they were not sent to me by the government.

Q. Have these goods mentioned in the treaty, or their equivalent, been issued, each year, to the Southern Cheyennes and Arapahoe In-

dians?—A. I do not think they have; I know they have been dissatisfied with our issue, because the Kiowas and Comanches would come up here and say, "We got *so* much." There are less of them in number, and each one gets more goods.

Q. In regard to these Southern Cheyennes, have you had furnished you the sum of five hundred dollars annually, to be expended in presents to any members of the tribe who excelled in agriculture?—A. We made an estimate at one time——

Q. I asked you if you had had it?—A. No, sir; we made use of a very small portion, at one time, upon one or two Indians; there has not been any number of them that I considered deserving for their efforts in farming. Nothing has been done about the matter since.

Q. In regard to these Northern Cheyennes, I will ask you whether you have given a good suit of substantial woolen clothing, consisting of the articles named in the treaty, or the equivalent thereof, every year, to each male person over fourteen years of age?—A. We did the first season they came here. Since that time, I think, the distribution has been less than that of the year before. Those that ran away did not get any, as I said before.

Q. In regard to the females over twelve years of age among the Northern Cheyennes, I will ask you whether they received, in accordance with the terms of the treaty, each of them, "a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics;" and also whether "the boys and girls under the ages named" received "such flannel and cotton goods as may be needed to make each a suit as aforesaid, together with a pair of woolen hose for each"?—A. So far as the women are concerned those articles were given, or their equivalent.

Q. How about the boys and girls?—A. I will make the same answer. Last year, taking the Southern Cheyennes, the Northern Cheyennes, and the Arapahoes, all together, I am inclined to believe that we had a better distribution than usual. Whether it was because the government was able to buy more goods for the money, or why, I do not know; but it was better, I thought at the time, than it had usually been.

Q. Has anything been issued to the Indians besides clothing and food?—A. Yes, sir.

Q. What?—A. Some agricultural implements; plows, hoes, wagons, saddles, axes—a variety of articles.

Q. Were those articles issued to every Indian?—A. No, sir; to those Indians only who were anxious to get them and go to work with them.

Q. Have you issued each year to these Northern Cheyenne Indians, "in addition to the clothing previously named, the sum of $10 to each Indian roaming and $20 to each Indian engaged in agriculture in the purchase of such articles as, from time to time, the condition and necessities of the Indians may indicate to be proper," and for their own personal benefit?—A. If that has been done, it has been in some way that I have not known. If the funds have been expended in Washington in the purchase of subsistence, or something of that kind, I would not know it. I would have no means of knowing. They might, for aught I can tell, have been used by the Commissioner for the purchase of beef.

Q. But you have not delivered to the Indians any more beef, have you, than the rations called for under the treaty?—A. No, sir.

Q. And nothing is issued to these Indians by any one that does not come through your hands?—A. Not that I know of, sir.

Q. Have you delivered to each Northern Cheyenne Indian who "has

emoved to this reservation and commenced farming one good cow and ne well-broken pair of American oxen," as required by the provisions f the treaty?—A. No, sir.

Q. Why not?—A. I have never been advised from the department o do so, and the cows and oxen have never been furnished me by the epartment so that I could do so. It was stated to Little Chief, when e was at Washington, that he should be given ten wagons and some lows.

Q. Has he ever received them?—A. I understand not. Certainly ever through my hands. Nothing of the sort has ever been sent me or that purpose.

Q. You have a physician here?—A. Yes, sir.

Q. More than one?—A. Not until within a couple of months.

Q. Have you teachers and a miller and an engineer and a blacksmith nd a sawyer?—A. We have teachers and a blacksmith; but the miller, ngineer, and sawyer are all merged into one—one man fills the three ositions.

Q. I will ask you whether or not, when this trouble with the Northern Cheyennes occurred, if you had had it in your power to have offered hem a larger amount of annuity goods than they had been getting—or instance, the annuity goods provided for them by the treaty, including $20 each, if they went to farming, and an American cow and oxen—I will ask you whether or not that would have had a tendency to mitigate their discontent?—A. It might, to some extent; but they were exceedingly dissatisfied with the country and affairs here, and I would not like to venture the statement that it would have mitigated it much.

Q. Would not the delivery of more annuity goods and a full supply of rations tend to make them contented?—A. Yes, sir. If you will furnish me enough food and clothing, I will agree to keep the Indians peaceable and quiet all the time.

Q. Would not the delivery of cows and oxen to Indians engaged in agriculture tend to make them satisfied?—A. Yes, sir.

Q. Would not the offering of them to others tend to induce them to engage in agriculture?—A. I can scarcely answer yes as to that in the fullest sense.

Q. Well, speaking generally, would not that be the general tendency? If you say to the Indian, "I will give you a cow and a pair of oxen, a plow, and other farming implements, if you will settle down and take a piece of land," would not that be a greater inducement and be more likely to influence them to go to farming than if you had nothing to offer them?—A. Yes, sir; it will hold good among the Indians as well as among the whites that surrounding influences will have their effect.

Q. As to annuity goods, do you issue calico to any Indians in quantities insufficient to make any garment—less than enough to make shirt, for instance?—A. No, sir; once when issuing strouding we issued very little, only enough to make them a breechclout.

Q. Did you ever tear up calico, when issuing it, into pieces too small o make any garment out of?—A. No, sir; not taking a family of three.

Q. Have you ever issued cloth of the kind of which pants are made n quantities smaller than was necessary to make pants?—A. No, sir; here was always enough to make pants or leggings for some member f the family.

Q. Did you ever issue canvas in quantities less than enough to make a tent?—A. There are so many different sizes of tents that I could hardly say; I have never issued less than half a bolt—twenty-seven to thirty yards; that will make a small tent.

By Mr. MORGAN:

Q. Do the Indians in dressing their children, particularly their boys, make pantaloons or leggings for them?—A. They make leggings; that takes only a yard.

Q. And the girls?—A. They make leggings for the girls, too—the Cheyennes do.

Q. They retain their Indian habits in making up their clothing?—A. Yes, sir; the only American clothing ever got onto them is what we give them already made up.

By Mr. PLUMB:

Q. Is there dissatisfaction among the Indians because of not having farming implements, or no implements of the kind they ought to have?—A. There has been some dissatisfaction of that kind in past years, but not this year; this year we have had plenty. There are a few articles, perhaps, that are not to be had, but of no great importance.

Q. Were the Arapahoes here when you came?—A. Yes, sir.

Q. Do you know who located them here?—A. Mr. Darlington was agent here then.

Q. Do you know whether they were brought here by the government or located here of their own accord?—A. They were brought here by the agent, by direction of the government.

Q. Do you know anything about their declining to go on this land lying north of the Cimarron?—A. Not of my own knowledge; but I did understand that the Indians refused to locate there.

Q. What Indians?—A. The Cheyennes and Arapahoes.

Q. Why did they refuse to locate there?—A. They did not want to be so close to Kansas, they said.

Q. Were you here when these Northern Cheyennes were brought down here?—A. Yes, sir.

Q. Did they have a chance to go there?—A. No, sir; they were located here long afterwards, and had no opportunity given them to express their choice.

Q. You never have located them or informed them that they could be located on particular tracts of land, to have it for themselves, under the provisions of the treaty?—A. No, sir.

Q. Would locating them, under the provisions of the treaty, have a tendency to keep them here permanently, and make them better satisfied with staying here?—A. I am satisfied that would be the result with all the Indians; we have got to go to building them houses and locating them permanently, I believe, before we can get them to stay here contentedly.

Q. If you had made promises of that kind to the Northern Cheyennes and had gone on to fulfill those promises as fast as you could, do you not think it would have had a tendency to mitigate this discontent?—A. I do not think it would; they were not here after farms.

Q. You have spoken of the disarming of these Northern Cheyennes. Is it not possible that they might have stolen or purchased arms from Indians about the agency here, or from the Pawnees and other Indian tribes in the Territory?—A. It is possible, but I do not know of a single instance; I could not cite a single instance that ever came to my knowledge where they purchased any.

Q. Did you ever withhold any supplies from any of the Northern Cheyenne Indians that went away, as a punishment for any offense com-

mitted, or for any other purpose?—A. Yes; I withheld coffee and sugar.

Q. During what time?—A. It was in the summer of 1878.

Q. Under what authority did you withhold those articles?—A. I did it by direction of the Interior Department.

Q. In what shape were those directions of the Interior Department transmitted to you?—A. In the shape of a circular, or rather two circulars; one dated March 1, 1878, the other April 15, 1878. (Witness handed the circulars to the chairman of the committee for inspection, and was requested to have copies of them made for the use of the committee. They will be found in the appendix, Exhibit "C.")

Q. From how many of the Dull Knife band were rations withheld, and for what length of time?—A. My memory is, on two occasions; rations were also withheld from some other Indians at the agency at the same time and for the same reason.

Q. Did you withhold rations from more Northern than Southern Cheyennes?—A. I think I did, because none of them would work; they did not pretend to do anything.

Q. What kind of work did you require them to do as a condition of receiving rations?—A. Almost anything, or any "effort" to do anything—cultivating crops of any kind, chopping wood, cutting hay, transporting their own supplies—anything at all that could be construed as "labor."

Q. What time of year was that?—A. I could not say from memory, but I should presume shortly after the order was received; probably about the first of May, or shortly thereafter. I instituted a weekly labor and ration check to show at a glance how many day's work had been done by any Indian, and when he had done them. I have a specimen here.

Weekly labor and ration check, ...quarter, 187 .

.....

.....Agency .....

.....Family No. .....

.....Issue day, ...

.....Children, ...Total.....

.....

Indian Agent.

0	9	8	7	6	5	4	3	2	1
1	6 1	6 1	6 1	6 1	6 1	6 1	6 1	6 1	6 1
2	5 2	5 2	5 2	5 2	5 2	5 2	5 2	5 2	5 2
3	4 3	4 3	4 3	4 3	4 3	4 3	4 3	4 3	4 3

11	12	13	14
1 6	1 6	1 6	1 6
2 5	2 5	2 5	2 5
3 4	3 4	3 4	3 4

Name of tribe, ...

Name of Indian, ...

Men, ..., Women .....

or.....rations.

The numbers from 1 to 14 represent the number of weeks in a quarter. Underneath these the numbers 1 to 6 represent the number of working days in each week; the number of day's works actually performed is indicated by punching the corresponding days; the punching being done by the farmer or other employé of the agency having knowledge of the same.

Q. Had the Indians whom you required to do work received agricultural implements?—A. Some of them had, though not a full supply.

Q. Did any of the Indians of the Dull Knife band, who went away, receive agricultural implements?—A. They had had an opportunity. I had offered them agricultural implements and tried to induce them to use them.

Q. How many of the Northern Cheyennes had received agricultural implements prior to the departure of the Dull Knife band?—A. I think a representation from each of the subdivisions.

Q. Five or six?—A. More than that; quite a number had subdivided a field, and been given a chance to put in little patches of corn.

Q. Were any of them set at any other work than agricultural work? —A. Yes, sir; we gave them an opportunity to chop wood and make hay and other work.

Q. Do you regard it as wise to arbitrarily enforce a regulation of that kind?—A. Well, I will be candid with you; I do not think so.

Q. But you tried to enforce it in deference to the command of your superiors?—A. Yes, sir; I tried to enforce it for a while, but I saw it was not working well, and I abandoned it.

Q. In what way was it working ill?—A. It excited their ill will and made them discontented; they were already discontented, and I did not think it wise, nor indeed safe, to continue further in that direction.

Q. You have stated, I believe, that the department purchases the supplies direct?—A. Yes, sir; I have nothing to do with it, except that I may occasionally purchase a very small order for immediate use—not amounting to anything.

Q. In making up your requisition for annuity goods and for subsistence and so on, are you governed by the provisions of the treaty, or by the instructions of the Commissioner of Indian Affairs, or by both, or by your own judgment of what is required?—A. I make my estimates in accordance with the terms of the treaty; I am also directed to make my estimates in accordance with the appropriation of the preceding year.

Q. Have you received, generally, the subsistence and the annuity goods called for by your estimates?—A. Well, no; not in full; they have usually purchased in conformity with my estimate, so far as kind and quality were concerned, but not quantity. They came nearer to my estimate as to quantity last year than ever before.

Q. Have you received notification from the department of the amount of supplies to be furnished you for the coming fiscal year?—A. No, sir.

Q. Have you received notice of the amount of beef you are to have? —A. Yes, sir.

Q. Is that amount under or over or in accordance with the requisition you have made, or is it in accordance with the provisions of the treaty?—A. I think it is under, but I cannot state from memory the precise amount.

Q. What is the number of Indians here?—A. Our last enrollment was 5,486.

Q. How often are your enrollments made?—A. Every three months; one of these enrollments each year is made by passing through their camps and requiring an actual stand-up and count. On issuing our new ration check we had a count every three months in this way: A party of chiefs, with the interpreter, pass through the tribe, and take up the old check, and make out and give out the new ones; then I require the Indians to report the births and deaths in the families, and taking these reports and my own knowledge and that of the interpreters and leading men, I am satisfied that I arrive at a result that does not vary much from the truth.

Q. Can you tell me, approximately, the cash value of the clothing issued to each Indian?—A. I could not from memory.

Q. Could you find out by an inspection of any records or accounts in our office?—A. Yes, sir; I have just furnished you the total number of Indians, and can easily get the total amount of clothing furnished.

Q. Do you think that, under proper instruction and supervision, the Indians would take more naturally to the raising of cattle, and with greater certainty of being successful at it, than the raising of crops

alone?—A. Yes, sir; this is decidedly a grazing country, while it is not very reliable as a farming country.

Q. What is the tendency, the disposition, of the Indian himself, as between these two branches of labor, toward the raising of crops or the raising of cattle?—A. They have not had the opportunity yet, or very few of them have, to experiment in regard to the raising of cattle.

Q. How do they express themselves?—A. They enjoy farming very much; yet I think they would like the raising of cattle if they could have a fair start. As soon as you can get them localized, to quit roaming, so that they will look after a herd, I think it would be an excellent idea to at least try the experiment.

Q. They take good care of ponies?—A. Yes, sir.

Q. Is it any more trouble to take care of cattle than of ponies?—A. No, sir; but then there is not the temptation to eat ponies that there is to eat cattle.

Q. They put their ponies into herds?—A. Yes, sir.

Q. And they have some method of identification, so that each Indian picks out his own pony from the herd?—A. Yes, sir.

Q. Could they not identify their cattle as well?—A. Yes, sir; we give each Indian who calls for it a brand for his own use.

Q. The question is whether or not, in case the Indians should bestow the same general care upon cows which they now bestow upon their ponies, it would not result in an increase of stock?—A. Yes, sir; but it would take a little time for them to learn how to take care of cattle; cattle have to be treated in some respects differently from ponies; even white men have to learn how to take care of stock before they can become successful stock-raisers. The Indians now know how to take care of horses as well as white men do, but they would have to learn how to take care of cattle. I have no doubt, however, that they could learn, under proper instruction and supervision.

Q. To take care of cattle equally well with horses?—A. I think so.

Q. Would they not be more likely to improve their condition and put themselves in a self-supporting way by stock-raising than by farming alone?—A. O, yes, sir.

Q. Are not Indians fond of horse-flesh as food?—A. Yes, sir; when a horse has died, it will be immediately cut up and eaten; when a colt is slunk, they make a very choice dish out of that. They are not at all fastidious in their diet. I have known them, on killing a cow that has been issued to them for rations, to cut out and eat the unborn calf.

By the CHAIRMAN:

Q. Would they eat a horse that had died a natural death when they were getting their regular rations?—A. O, yes, sir; they do it, not because they are driven to it by hunger, but because they like it. When the Pawnees come here on a visit they will run about our chicken-coops to see if there are any dead chickens lying about. It makes no difference to them whether they have died from cholera or anything else.

By Mr. PLUMB:

Q. Will you state—perhaps you have already answered the question, but it will do no harm to answer it again—whether you regard it as desirable that the Indians should have the privilege of locating a tract of land and calling it their own?—A. Yes, sir.

Q. And you think it would do a great deal toward making them contented?—A. Yes, sir.

Q. It would have the effect also to encourage them in agriculture and stock-raising?—A. Yes, sir.

Q. Do these Northern Cheyennes, those that went away in Dull Knife's nd, send their children to your school?—A. Some of their children tended there until vacation. We have vacation in our schools here in ly and August. I have no doubt that if Wild Hog's children had been our school they never would have run away. It was vacation when ose Indians started off; if school had been open and their children had en in school, I do not think they would have gone.

Q. Have you any means of finding out the number of deaths that have curred among the Northern Cheyennes since their arrival here?—A. I not state exactly; the doctor could tell you about that.

Q. Was the doctor able to visit all the Indians who were sick and re-ired his services last year?—A. No, sir. I know that on one occasion shut up his shop and went away because he had no medicine on hand the kind required.

Q. How long did that continue?—A. Well, he did not keep his office ut up for any great length of time; but there was a long time during nich we were entirely out of medicines that were greatly needed. I ow I felt it my duty to speak of the matter in one of my reports. It ll be only doing me justice to present that as a record of my efforts to cure the necessary medical supplies and attendance. (See Appendix, xhibit "D.")

Q. Had you made timely requisition which, if complied with, would ve furnished the doctor with sufficient medicine to have enabled him treat those Indians who were sick with malarial and other diseases ring the summer of 1878?—A. Yes, sir; the lack of medicines was ving solely to the failure to furnish them according to requisition.

Q. When were those requisitions made; at the usual time of year, or an unusual time of year, and especially for the purpose of meeting e exigency that had arisen here during the sickly season?—A. They ere sent in with the regular annual estimates, and supplemented by atements setting forth in strong terms the necessity of having the edicines here at once. On two occasions I was authorized to purchase very small amount of quinine elsewhere.

Q. You say you repeatedly urged the necessities of the case upon the epartment?—A. I did.

Q. In what way; by letter?—A. Yes, sir.

Q. Were any telegrams sent, urging the necessity of supplying medi-nes?—A. I think there is a telegram or two on file, in which the mat-r is brought up.

Q. Was any reply ever made to the regular requisition or the special quisition or to your letters or telegrams?—A. Nothing, except to au-orize me to purchase a little quinine, at one time.

Q. How much?—A. I do not recollect the exact amount; I know it as a very much smaller amount than was necessary.

Q. Between your regular estimate and your additional letters and tel-rams, the department was fully advised of the necessity of the med-ne?—A. Yes, sir; and in addition to this, realizing the necessities d the sufferings of the Indians, I asked for a detail of Army officers accompany the agency physician to ascertain the number of cases of ckness, the character and extent of the malarial disease, and the kind d quantity of medical supplies that ought to be furnished to an ency of five thousand Indians. The request was complied with, the amination made, and the report forwarded to the department.

Q. Did the Indians of the Dull Knife band complain of lack of medi-nes and medical attendance?—A. They did not complain so much as

some of the others; yet they did, I think, make complaint on one or two occasions.

Q. Did the sickness and the lack of means to cure it have a tendency to increase the discontent that existed among them?—A. To a certain extent; it was not the main cause, but it was undoubtedly one of the causes.

Q. Are the northern Indians familiar with the ague, or is it a new disease to them?—A. They tell me that they do not have it up north.

Q. State whether, if it were a new disease with which they were unacquainted, the effect upon them would or would not be the more discouraging.—A. Undoubtedly it would. They had specifics for a great many of the diseases that were common among them in their own land; but for the ague they had no specific.

By Mr. DAWES:

Q. So far as you are aware, those northern Indians did not know anything about ague when they came here?—A. It appeared not, and they said they did not.

Q. They had no medicine that would cure the ague?—A. So I understand it. I will say here that I have always considered it a bad move to bring Indians from the northern country down here. Take a white man and let him come down here during July and August, and work as he is accustomed to in Kansas, if he is a working man, and he would soon be sick. If you go ahead with that active life to which you have been accustomed in the north—if you do not lie down and take it quiet during the hottest part of the day—you will soon find yourself breaking down in health. The climate here is very enervating.

Q. Did you make any representations to the department last year as to the necessity of an increased medical force—additional physicians?—A. Whether I did last year or not I cannot now say. I know I did immediately upon the arrival of these Northern Cheyennes. I suggested, now that we had got down here the biggest half of the people for whom the appropriation for the Northern Cheyennes and Arapahoes was made, why not have an increase of employés? I thought we needed an extra physician and some other help. The answer I received was that not more than ten thousand dollars could be expended at any one agency, and I could not have it.

Q. Did you repeat that suggestion last year, in sending in your estimates for 1878–'9?—A. I do not recollect that I did, although I may have done so; but I should rather presume that I did not, as their former refusal was taken as rather decisive in the matter.

Q. You stated to the department that one physician was not sufficient?—A. Yes, sir; we secured one when I was in Washington recently. I got Little Chief to make that as a strong point in his talk with the Secretary.

Q. When were you at Washington, with Little Chief?—A. In the latter part of May, 1879; I may have staid into June, I know it was June before I got home.

Q. State what promises, if any, were made by the Commissioner to Little Chief, as a condition of his staying here?—A. He promised fifty dollars each to him and the members of the party with him; there were six of them; also a good suit of clothes. When I got to Wichita I purchased each of them a good small horse. And the Commissioner said that he would allow them ten wagons and harness, and some cattle, and I don't remember exactly what; as the Commissioner was telling it over his clerk was writing it off, and I paid no particular attention. I have

ver been notified that the cattle and wagons had been purchased. ie money I paid them myself, in the Commissioner's office. The cloth- g was purchased by the Commissioner, and given to them in Washing- n.

Q. But the wagons and harness and the cattle have never been de- ered?—A. No, sir.

Q. Was there not some promise in regard to his children going to iool?—A. Yes; he objected to his children going to school; and the mmissioner said that he and his band would not be required to put eir children in school, but that he must not interfere with others who shed their children to attend the school; he said that the manual bor done at the school, such as chopping wood, &c., was all right and oper, but that he would relieve the children of Little Chief and his on this band for the present. I believe also that ammunition was omised, to kill their beeves with.

Q. Has Little Chief expressed any impatience about not receiving the agons and cattle promised him?—A. Not about the wagons or cattle believe; but he has about the ammunition.

Q. Would not the delivery of wagons and cattle to these Indians, cording to promise, have the tendency to make them better satisfied? A. I think we can distribute the ten wagons among the young men of s band in such a way as to have a good effect, though Little Chief ould oppose that himself; but the young men, I am satisfied, would cept the wagons.

By Mr. DAWES:

Q. Does the relief of the children from attending school apply to Little hief personally, or to his whole band?—A. To his whole band.

Q. How many are there of them?—A. About two hundred persons.

By Mr. PLUMB:

Q. In regard to promises made to Indians; are they as particular bout having promises fulfilled as white people are?—A. More so, sir; ore so.

Q. I will ask you whether the prompt fulfillment of all pledges made them by the authorities is not essential to keeping them contented id in good spirits?—A. It is absolutely necessary.

Q. And delay in the fulfillment of promises made is held to be an act bad faith?—A. Yes, sir; it is commented upon bitterly and widely; ade the subject of general discussion in their camp. I would never omise an Indian anything that I was not certain I could comply with. have sometimes promised things to the Indians, on the strength of omises made me by other people, that I have afterwards found myself able to carry out.

Q. And that would result in dissatisfaction and discontent?—A. Yes, ; it would make them very discontented; you never can explain away ything of that sort satisfactorily to an Indian. Take Powderface, and me of the Arapahoes that have been with the whites a good deal, and u can explain things so that they will understand; but to the others n can't; with them it is either a lie or a truth.

Q. How many children are attending this school, when in session?— This last year there have been from 140 to 155; the average has been out 145 or 147.

Q. What is the expense to the government of keeping up the school? A. To the contractor per scholar, he furnishing all the help——

Q. I mean, what is the expense *to the government*, per scholar, for aching the school?—A. Three dollars and a half per month.

Q. Is that by contract?—A. Yes, sir.

By Mr. DAWES:

Q. For twelve months?—A. No, sir; for ten months; there is a provision for a partial vacation for two months.

By Mr. PLUMB:

Q. Does not the contractor get pay for twelve months?—A. No, sir; only for the time when school is actually taught, and for the children actually in attendance.

Q. Does he furnish the supplies—food, or anything?—A. No, sir; they receive their rations from the government.

Q. The established government ration?—A. Yes, sir; the established rations, which are deducted from the other rations; they have what we call a "school-ration," for every twenty scholars.

Q. It has no relation to the rations furnished the Indians in camp?—A. No, sir.

Q. Is there anything else that is furnished to the scholars by the government; are they furnished with clothing?—A. The contract provides that we shall issue to these scholars—to the contractor—whatever may be their demands—their necessary demands. I cannot give you just the wording of it now, but I can show the contract at any time if you wish to see it; and what we issue to him he issues in turn to the school-children.

Q. There has been no complaint about the contract not being faithfully carried out?—A. No, sir.

By Mr. DAWES:

Q. Do I understand you that the support—the rations—of these scholars costs the government three dollars and a half per month extra per scholar?—A. No, sir; their rations are deducted—are not issued to any camp.

Q. Do you issue the same rations as if they were in camp, and three dollars and a half a month more than if they were in camp?—A. Yes, sir; it costs the government that much more than it would if they were in camp, and not going to school.

Q. So each scholar costs the same as if not in school, and three dollars and a half a month more for teaching?—A. That is it.

By Mr. PLUMB:

Q. The treaty says they shall have one house and teacher for every thirty scholars?—A. Yes, sir.

Q. Instead of that, you have here a hundred and fifty scholars under one roof?—A. Yes, sir; we had a small school-house, with a number of children, up at the other house, where you saw them building; but we thought it would be better and cheaper to have a large school-house than a number of small ones; so we are building that. By the first of September we shall have school-room sufficient to accommodate three hundred and forty scholars.

Q. Who is the contractor in charge of the school?—A. His name is John H. Segar.

Q. What other employment has Mr. Segar?—A. He has been in charge of the chopping of the wood for the military; he has a sub-contract for the furnishing of the wood; he hires Indians to do the chopping.

Q. Does he himself teach?—A. No, sir; he only superintends the teaching.

Q. Does he superintend inside?—A. He cannot remain in the school-ouse all the time; he has the general supervision of the teaching.
Q. Is he himself a competent person to teach?—A. He is not an edu-ted man, but he is a practical, common-sense man.
Q. He takes things generally by contract that happen to be lying ound loose?—A. Yes, sir; where he can work it in to advantage. s contract with the government closed on the first of July; he is not w in the employ of the government, except that he has taken a sub-ntract for furnishing hay to the post, over here; he has a lot of In-ans at work at that now; and he has the contract for carrying the ail from the agency to Fort Elliot; he hires Indians to do that, too.

By Mr. DAWES:

Q. Who has the actual charge of the school?—A. Mr. Brown, as yet; e contract for this year has not been let yet; he is rather expecting e contract for this school.

By Mr. PLUMB:

Q. Do you regard this method of teaching by contract as the best ethod of conducting a school?—A. I do not see that any great ad-ntage is to be gained by it. There is no question but these contracts ve been let in order to avoid this ten-thousand-dollar restriction; we nnot have more than so many employés.
Q. Does the contractor have any privileges in the way of teams, sup-ies, &c.?—A. He can use the teams, with the children, in hauling ood.
Q. He does not have any use of the agency teams for his own outside ork?—A. No, sir.
Q. Neither gratuitously nor otherwise?—A. No, sir.
Q. He employs Indians in putting up wood and hay, you say; do the dians get employment much from wood-contractors, hay-contractors, c.?—A. Never, except through Mr. Segar and our own efforts. I ould not think of going into a contract to furnish Indians work.
Q. What wages do Indians get?—A. A dollar and a quarter a cord r chopping wood; seventy-five cents a day for working in the hay-field.
Q. Do they make good help?—A. With the proper care. Mr. Segar n get more out of them than anybody else in the country.
Q. Do all of them get employment?—A. Not at all; not nearly em. all of
Q. Do you regard it as desirable for the government to have all the ork about a post done by Indians?—A. It just suits me to answer that estion. Every bit of the supplies can be transported by Indians, and ey can put up all the hay and chop all the wood. The Indians, I ow, do object to having white men go into the timber and cut the od that they (the Indians) think belongs to them; but if they could t the benefit of the work of cutting the wood and the hay they would t object at all.
Q. Would they do such work with the same trustworthiness and cer-nty that white men would?—A. Just the same. In transporting sup-es from Wichita here, so far as we can discover they have never stolen ounce of sugar, coffee, or anything else; they have been careful to ure or waste nothing, and have delivered everything in good faith.
Q. I mean would they be sure to go and come with the same prompt-ss and regularity, the same sense of responsibility, of a contractor o was under bonds?—A. O, yes, sir; I will add, by way of expla-ion, that you must have a man for contractor or supervisor in whom Indians have implicit confidence that he will carry into effect all his

promises to them; also who has a capacity for getting work out of people, and who is kindly disposed toward them and will always advise them justly and rightly and for their own best interests. All that work can be done by Indians. One great advantage would be that you would avoid the presence of a large number of worthless white characters about the post who, in nine cases out of ten, turn out to be horse-thieves.

Q. Independent of the restraint which the presence of scholars in the school exerts upon Indians generally, what other benefit grows out of the school?—A. The school is a benefit in a great many ways. In the first place, it teaches the children good habits; they are taught habits of industry, and that is the principal thing that needs to be inculcated into the Indians; they have got to change their entire manner of living and adapt themselves to a new manner of getting a living. They are not poor; they have plenty to eat and plenty of ponies; they say they do not intend to be poor; they are an energetic people. They need only to be instructed properly and guided properly and there is no reason why they should be dependent upon the government.

Q. What branches are they taught in school?—A. Reading, spelling, writing, arithmetic, and some other of the common branches.

Q. Grammar?—A. No, sir.

Q. Geography?—A. Yes, sir.

Q. What length of time is it necessary to keep them in school in order to render them reasonably familiar with these common branches?—A. I should say from five to ten years; of course, it takes a greater length of time than it would white children, from the fact that these Indian children have to learn our language before they can commence on the other studies.

Q. At what age do they begin to go to school?—A. From five to ten years; after they get to be ten years old or over it is harder work to induce them to study, as well as more difficult to inculcate into them habits of industry.

Q. Would it be possible to have them go to school and still retain their affiliations with their families and homes, the same as white children do?—A. I think so. We let them go home once a week; but we do not allow them to remain over night, without the special permission of the superintendent.

By Mr. DAWES:

Q. When they come out from among their tribe and mingle with the white people do these children talk English?—A. They are quite backward about that; with their teacher and about the school they talk English right along, but before strangers they hardly ever say a word in English.

Q. When with their own people do they not lay aside the English language altogether and relapse into Indian?—A. Yes, sir; yet very frequently, in their camps, as a matter of recreation, they will set an evening when they will dress up in citizens' clothes, for a frolic, and make a rule that no one shall speak Indian, but all shall speak English.

Q. Would not the same result be accomplished by taking the children away from the lodges, from the camp Indians, and putting them at industrial pursuits, without education, or with very much less education and more labor?—A. I would blend the two together; we make a special effort to give the children an industrial training.

Q. Upon which do they spend the most time, their studies or their work?—A. We divide the two equally.

Q. Where do they labor?—A. I should have added, at times when labor can be had. In the spring of the year, when we are putting in crops, making fences, &c., we make a detail from the school-room in such a way as to give all about an equal chance. At some seasons of the year we have nothing to do, except in connection with the wood-train, which requires a detail every day.

Q. Do you have shops where they can learn the use of tools?—A. We have a harness-shop and a shoe-shop.

Q. Have you no blacksmith's shop?—A. No, sir.

Q. Nor carpenter's?—A. No, sir; there has been little call for blacksmith's and carpenter's shops; and there has been no provision made for boarding the children and doing their washing while they were learning to become blacksmiths or carpenters.

Q. Why would not the same supplies that are furnished them now suffice to board them while they were learning the carpenter's or blacksmith's trade?—A. They would; but to make a success, to make them *good* carpenters and blacksmiths, would require more time than we have been in the habit of giving them.

Q. The question is, whether more labor and less learning, of the ordinary kind, would not be more beneficial to them?—A. To that I will answer, yes; I am very sure that the government could not spend three and a half dollars a month to any better advantage than to take a couple of Indian boys, put them on the rolls of the contractor, and give them a day or two each week in the school, and have them spend the balance of their time in the shops.

Q. Then comes up the question whether the government would not have to pay the contractor the full amount for teaching a boy who was at the school only a small portion of the time?—A. Probably that could be arranged in some way; the government in any event would have to pay the expense of their clothing, washing, &c.; and as for teaching, a teacher can teach ten in a class just about as well as nine.

Q. The question with me is, whether it would not be better, more beneficial to these people, and in the long run less expensive to the government, if we were to give them more instruction in manual labor and the mechanical arts that would help them toward being self-supporting; it looks so dilatory, so unpractical for them to spend five or ten years, at the government expense, in learning a few little things of no particular perceptible advantage.—A. I agree with you, sir.

By the CHAIRMAN:

Q. I wish to inquire what supplies did you withhold from those men who refused to labor, as you testified awhile ago?—A. Nothing except what was embraced in the directions sent me by the department upon that subject.

Q. What articles did you withhold?—A. Sugar, coffee, and tobacco.

Q. Had you these supplies on hand at that time?—A. We had a part of the time at least; I could not tell exactly what part of the time without referring to my record of weekly issues; I believe we had sugar and coffee, whether tobacco or not I could not speak positively.

Q. Was not the withholding partly because you had not the articles as well as a penalty for not working?—A. I would not regard it exactly as a "withholding" of them if we did not have them to withhold.

Q. I am speaking now of the fact.—A. There were occasionally times when we did not have those articles.

Q. Was that the case at that time?—A. No, sir; I told them why I withheld them, so I know I must have had one or two of those arti-

cles; we had held a council prior to this, at which I had informed them that after a certain time these articles would be withheld from all who refused to labor.

Q. This is my idea, whether on account of the absence or scarcity of these articles you did not cover up the fact that you did not have them by assigning this other reason.—A. No, sir; I withheld the articles because I had been directed by the department to do so, and I told them that it was by direction of the department that I withheld them, because they refused to labor.

Q. And you then had these articles?—A. Yes, sir; one or more of them.

Q. During the previous portion of this investigation two or three matters have been mentioned or intimated that justice to you requires we should bring to your attention. Some of the Indians have intimated that supplies of annuity goods, such as clothing, &c., intended by the government for them, have never reached them; that at the school-building there is hidden or hoarded away a lot of stuff that they are entitled to. How is that?—A. There is a quantity of goods up there of the kind that is used to make into clothing for the school children; those goods were delivered there under the authority of the Commissioner of Indian Affairs.

Q. Let me be sure that I understand you; those goods in the school-building are there by order of the Commissioner of Indian Affairs, in fulfillment of a contract with Mr. Segar, the school-contractor?—A. That is it exactly.

Q. And there is nothing there that, under authority of the department or of the law, you are required to give to the Indians?—A. Not a yard of anything, nothing at all.

Q. Have you year by year distributed to the Indians, in good faith, all articles sent you for that purpose?—A. I have, sir.

Q. Another intimation which they have made is this: That you are interested in a herd of cattle that are kept up here between Pond Creek and the Cimarron, and those cattle they suppose or suspect to be cattle that were sent here for them; in short, that they are their cattle; how is that?—A. In running these transportation trains, I asked authority from the superintendent of Indian Affairs to deposit some cattle there for convenience in traveling back and forth, and he gave me authority to do so. I have no personal interest in that herd, nor in any other herd of cattle in the Indian Territory.

By Mr. PLUMB:

Q. How do you receive the beef cattle from the contractor; how often, and in what numbers? Do you receive just the number necessary to make an issue?—A. As near as we can; of course we must sometimes run a little over, sometimes as high as a hundred head over.

Q. What do you do with those cattle that you have over?—A. We have three herd-boys that take charge of them until the time arrives for us to issue them.

Q. Are they kept with the herd belonging to the school children?—A. They are not near them at all. Suppose a contractor has here a herd of five hundred, and we want for our immediate use only four hundred head, we take them all and herd the extra number until we do want them, and whatever benefit or otherwise accrues after that the agency takes; but our usual plan has been to get just about what we want, as nearly as we can. My object is to get rid of just as much property responsibility as I possibly can; and so it has been my plan to keep the cattle right down to the requirements of each weekly issue.

Q. What would be the maximum number in this agency herd thus made up by overissues of the contractors?—A. It very seldom exceeds one hundred; and this surplus would be allowed to accumulate only in order to provide against freezing over, as occurred last winter. It is from this herd that we take cattle to supply the teamsters with.

Q. You do not issue rations to them for the entire time they are gone?—A. We issue smaller rations, enough to last to Wichita; they buy beef at Wichita to supply them on the way back.

Q. How do they do that? Does the cost of the beef they buy there come out of them, or out of the government?—A. It is charged up in the cost of the wagons, and they work it out. Sending off that twenty-five head of cattle up there has made several parties say, "There, Miles has stolen those cattle!" A man who would stay an Indian agent might as well register himself in the rogues' gallery at once.

By the CHAIRMAN:

Q. Another thing, Mr. Miles, was made a subject of complaint; perhaps you would like to make a statement in regard to that. It is claimed that formerly a beef animal was issued to every thirty-five persons, and that in accordance with that the Indians divided themselves up into bunches or groups; but that now a beef is issued to every forty-five persons; and that it makes a great deal of trouble to get the excess of ten to some place else, where they can get their share of the beef. What is there about that?—A. I am very glad to have an opportunity to explain that matter. In the winter season our cattle seldom average over seven hundred and fifty pounds gross; that will supply, as you can easily see by making a simple calculation, a week's rations to just about thirty-five persons.

By Mr. DAWES:

Q. Do you mean to say that the supply to the larger number of persons is during the summer, when the average weight of the cattle is greater than in the winter?—A. Yes, sir; that is it.

Q. And the reason why the change is made is this: In the winter the average weight of the cattle is found to be just about enough to supply rations to thirty-five persons, while in the summer their size averages enough to supply forty-five?—A. That is correct.

Q. What is the contract in reference to the weight of the cattle?—A. The contract requires that the cattle shall weigh eight hundred and fifty pounds; the average has been nine hundred pounds and over. We are obliged to give credit for whatever excess there is above the contract weight.

Q. How is it when the cattle do not come up to the contract weight?—A. Then he must take his chances of their being rejected. Seven hundred pounds is the lowest allowable weight; but the average must be eight hundred and fifty pounds; a great many of them weigh twelve hundred pounds. This matter came pretty near making trouble here; Little Chief was determined he would have war on account of it; and if Old Crow had not come, I do not know what would have been the result. Little Chief has two hundred people who are entitled to five head of cattle weekly—a little less than five head; you will see by figuring it up that he gets an advantage of ten pounds on every head.

By Mr. MORGAN:

Q. I asked you whether or not, since you had been at this agency, the Government of the United States had furnished full rations for more than nine months in each year. I understood you to answer that it had

not. Did I understand you correctly?—A. I think, take it from the time I commenced here to the present time (not last year, but taking the whole time together), I believe you would find the rations to run from three to five months short.

By Mr. PLUMB:

Q. I asked separately in regard to the year 1878; I forgot to ask how it was in 1877—whether during 1877 you had for issue, and did issue, a full beef supply for the entire year, as required by the treaty?

WITNESS. During the calendar year 1877?

Mr. PLUMB. Yes, from January 1st to January 1st.—A. I am rather of the impression that I did, then; because during the winter of 1877 the Indians were out on a hunt about five months.

By Mr. DAWES:

Q. Does not the law require you to issue the same amount of beef rations to the Indians whether they are here or not?—A. Why, we *can't* issue rations to them if they are not here.

Q. But does not the law require that? Does the law require, or not, that the same amount of beef rations shall be delivered to each Indian, whether he is out on a hunt or not?—A. I have never studied the law with a view to answer that question.

Q. In point of fact, in the administration of the law, have you, in issuing rations, deducted that portion of time each year during which the Indians have been off on a hunt?—A. No, sir; I have not.

Q. Have you issued the beef rations, week in and week out, during the whole year, in full, whether the Indians were absent on a hunt or not?—A. I have usually issued two weeks' rations when they were about to start on a hunt, and a week's rations when they returned.

Q. You mean to say that, while you have issued the same in amount, you have issued some in advance before they started, or some in addition when they returned?—A. Yes, sir.

Q. So that in the end the Indian gets the same rations whether he is out on a hunt or not?—A. O, no, sir; when they stay out five months, we deduct all but about three weeks' rations. It works in this way: Suppose the Indians ask permission to go on a hunt; I give them leave to do so; before they start out I give them two weeks' rations; they go out and are gone three months; on coming in I allow them a week's rations; and those three weeks' rations are all they get for three months.

Q. Then the balance of the time they fail to get any rations at all?—A. Yes, sir.

Q. In point of fact, they get only three weeks' rations during three months?—A. Yes, sir.

Q. So that if they are gone for any length of time over three weeks, they lose rations for the excess of time?—A. Yes, sir; and in that way, during the winter and spring of 1877, we made a saving of beef on the regular contract, so that on the first day of July, 1877, we had to receive from the contractor about seventeen hundred head of cattle; in other words, we saved over from the previous year's contract seventeen hundred head of cattle. That ran us on so that I did not call upon the contractor, Mr. Miller, for a single hoof until September; and the result was, his contract carried us nearly through; we were bridged over by the saving of the previous winter, so that the Miller contract carried us nearly through.

Q. Was their hunt a successful one?—A. They got enough to subsist them; but they lost many horses. As a whole, it was a net loss; they came back really poorer than they went out.

By Mr. PLUMB:

Q. Take the calendar year 1878; during that year, commencing January 1st, 1878, and ending January 1st, 1879, did you issue rations to the full amount, to every Indian?—A. Of *beef*, I did; whatever shortage there was, occurred in the flour, coffee, &c.

L. A. E. HODGE.

CHEYENNE AND ARAPAHOE AGENCY,
August 20, 1879.

Dr. L. A. E. HODGE was sworn and examined:

By Mr. DAWES:

Question. Are you the physician in attendance at this agency?—Answer. Yes, sir.

Q. How long have you been here in that capacity?—A. Three years.

Q. During that time have you had any assistance?—A. Not until within the past two months.

Q. For the past two months you have had some one to help you?—A. Yes, sir.

Q. How much help have you had?—A. One assistant physician.

Q. With that exception you have done all that has been done in your profession here?—A. Yes, sir.

Q. During that time, have you had furnished you, by the government, all the supplies of medicine you need?—A. I have not.

Q. During what portion of the three years that you have been here has the lack of medicine been the greatest?—A. During the last year.

Q. You mean 1878?—A. Yes, sir.

Q. Do you mean the calendar year or the fiscal year?—A. The fiscal year.

Q. The fiscal year ending with July 1, 1878?—A. No, sir; the greatest scarcity of medicines was at the time between the end of the fiscal year, June 30, 1878, and the 17th of January following, when we received our drugs, which should have been received on the 1st of July.

Q. Previous to August, 1878, was there any lack of medicines?—A. Yes, sir.

Q. Do you remember the time when the Northern Cheyennes were brought down here?—A. Yes, sir, I remember the time.

Q. Do you remember when a portion of them broke away?—A. Yes, sir.

Q. Between the time they came here and the time they went away was there any lack of medicines?—A. There was.

Q. Much or little?—A. There was a great lack of medicines.

Q. Was there any particular medicine of which there was an especial lack?—A. Yes, sir, there was a special lack of quinine, a preparation of cinchona, much needed in this country.

Q. Is there more demand for this medicine than for any other kind?—A. There was at that time.

Q. What diseases afflict the Indians most?—A. Malarial diseases of different varieties.

Q. Did you make your lack of medicines known to the proper authorities?—A. I did.

Q. To whom?—A. To the agent here.

Q. You had no authority to make it known elsewhere?—A. No, sir.

Q. Do you know whether the agent communicated the fact to the authorities above him?—A. Yes, sir, I know that he did.

Q. Did you urge upon him the necessity of having more medicine here?—A. I did.

Q. You have no reason to believe but you had at your command all the medicine there was here?—A. Yes, sir, all the medicine here was under my charge.

Q. The moment it reaches here is the medicine put into your charge?—A. It is.

Q. Is it sent here in bulk, or as you want it from time to time?—A. It is sent in bulk.

Q. When the Northern Cheyennes came here were they a healthy people?—A. No, sir, I cannot say that they were.

Q. What was the matter with them?—A. In the first place they were worn out by their long journey; many of them had to walk; many of them were suffering under malarial fever when they arrived here.

Q. How far were they located from this agency when they first came here?—A. About two miles.

Q. How long did they remain there?—A. I cannot tell; they were changing the location of their camps all the while.

Q. Did they move their camp from that spot to one farther off before they broke away?—A. They did.

Q. How much farther off did they encamp?—A. They were encamped about fifteen miles from here when they left.

Q. How long before leaving did they go there?—A. Only a very short time.

Q. The most of the time they were within the distance first mentioned?—A. No, sir.

Q. How far were they encamped from here the most of the time?—A. About twelve miles.

Q. How often before their outbreak did you visit their village?—A. I visited them whenever I had anything to give them in the shape of medicines.

Q. How often was that?—A. I should say once a week.

Q. How much of the time after they came here and before the outbreak were you entirely out of the medicines they needed?—A. Well, sir, I was out of it the most of the time.

Q. When not entirely out of it, were you short of it?—A. Yes, sir; I borrowed from the post surgeon all that the military could spare; I also borrowed from the lower agency, but was still short.

Q. Had you need of the same kind of medicines in treating the diseases of the other Indians?—A. I had.

Q. Was there any special difference between the complaints of the Northern Cheyennes and those of the Southern Cheyennes?—A. Malarial diseases were universal; but there were some diseases among the Northern Cheyennes and not among the Southern.

Q. What diseases, for instance?—A. Notably, venereal diseases.

Q. Had they measles among their children, much?—A. No, sir, there were no measles among the Northern Cheyennes; the measles were past before they came.

Q. Were you at any time, when called upon by the Northern Cheyennes for aid, compelled to decline to go, for any reason?—A. No, sir, I never declined to go; but I have left the office because I knew I had no medicine to give them.

Q. You left the office to avoid being called upon?—A. I left there be-

ause I knew that I had no medicine to give them, and I could not bear o see them suffering for lack of a few doses of quinine.

Q. Was their suffering considerable? Was the absence of quinine a ause of much or little distress to the Indians?—A. It was the cause of 'ery great distress to them; they were dying from sickness, without its eing in our power to alleviate their sufferings.

Q. Can you tell how many of them died during that time?—A. I could efer to my monthly sanitary reports and find out how many died under ny treatment; but owing to my limited supply of medicines some died hom I did not attend; so my reports would not be a fair criterion to go by.

Q. Has anybody the means of ascertaining the mortality among them luring that time?—A. I think not.

Q. The agency has no knowledge regarding the matter besides the ersonal knowledge of the physician?—A. I think not.

Q. You think that some deaths occurred that did not come under your bservation?—A. Yes, sir; just how many I cannot say.

Q. Did the Northern Cheyennes come here subject to any other diseases han the ones you have mentioned?—A. No, sir; not to any consider- able extent.

Q. Were they a hardy race, as compared with the other Indians that were here?—A. I think they were more hardy—if they had been in a country to which they were acclimated.

Q. Do the Indians at this agency suffer from pulmonary diseases?—A. They do, considerably.

Q. How was it with the Northern Cheyennes?—A. I do not know of any serious cases of pulmonary disease among them.

Q. When was this deficiency in your supply of medicines done away with?—A. On the 17th of January I received the supply which I should have received on the first of the preceding July.

Q. From that time until now you have had a sufficiency of medicines?—A. A sufficiency of certain kinds; there are certain remedies which we have a run on, occasionally, that have become exhausted.

Q. If you had had the proper medicines, during the time of which we have been speaking, had you the ability yourself to take care of five thousand Indians, situated as these are?—A. Of course it was entirely too much work for one man to have the medical care of five thousand people. When I have remedies I am constantly busy; it is not an uncommon thing for me to dispense medicine to a hundred cases a day in my office.

Q. And you have to visit the villages besides?—A. Yes, sir.

Q. What circuit does this require of you to travel?—A. Well, of right, I am liable to be called from fifteen miles below here, at the cattle-trail, to a point fifty miles above, on this river; but of course I do not count upon making regularly any such round as that.

Q. Will a circuit of twenty-five miles cover it?—A. Yes, sir.

Q. Besides this you dispense medicines at your office?—A. Yes, sir.

Q. Taking the number of Indians that are here and their location and their condition into account, what is a fair supply of medical force here?—A. If we had a hospital steward and dispensing clerk, two men could do the work.

Q. Two regular physicians, with one man at home acting as medical clerk, you think, would be sufficient?—A. Yes, sir.

Q. In your opinion, could this agency be properly supplied with less force than that?—A. No, sir.

Q. Is the medical force paid a salary?—A. Yes, sir; the physician

now has twelve hundred dollars a year, and the assistant nine hundred a year.

Q. Are you permitted to do any other business?—A. Yes, sir.

Q. What?—A. Anything I can do outside.

Q. You have a right to attend people who do not belong to the agency, if called upon?—A. Yes, sir.

Q. Have you any income from that source?—A. No, sir; the military post is right close here, and there are two surgeons over there.

Q. Do you mingle enough with the Northern Cheyennes to give us any idea of their feelings in regard to remaining here?—A. I think they are, as a general thing, perfectly satisfied, and have no desire to go away.

Q. Do you mean to include the band under Little Chief?—A. Yes, sir.

Q. Do you think that Little Chief himself is satisfied?—A. Yes, sir; I think he is now perfectly reconciled to staying here; he has so expressed himself to me, only a few days ago, when I was in their camp.

Q. Do you know, of your own knowledge, that the agent here, at your suggestion or otherwise, brought repeatedly to the knowledge of the authorities at Washington your need of medical supplies?—A. I do.

Q. And also of the fact that there was more work to be done here than one man could do?—A. I represented the case to the agent, and he expressed himself in favor of my having assistance.

Q. His opinion agreed with yours?—A. Yes, sir.

Q. But whether he made representation to the department that more force should be sent here you have no personal knowledge?—A. No further than that he told me he had done so.

Q. When you were out of medicines to supply these Northern Cheyennes who were sick, were they aware of that fact?—A. Yes, sir; I told them so.

Q. What effect did it have upon them; did it have a tendency to create discontent among them?—A. I think it did; I know they complained to me about it.

Q. Did they complain that they had more sickness here than they had up north?—A. Yes, sir.

Q. What did they say about it?—A. They said there was more sickness among them than ever before. They had come from a non-malarial district into a malarial district; and the result was that, being unacclimated, there was probably, according to their number, more sickness among them than among our own people.

Q. Did they appear to have any acquaintance with these diseases to which they are more liable here?—A. No, sir.

Q. It was a new thing to them?—A. Yes, sir; it was a new thing to them.

Q. Does that include fever and ague?—A. Yes, sir; that was the most common form of malarial disease from which they suffered.

Q. Did they seem to have any knowledge of fever and ague?—A. No, sir.

Q. For diseases that they are acquainted with they have specifics of their own that they sometimes use, have they not?—A. I do not think they have any specifics whatever for any disease.

Q. They know more about how to take care of themselves when afflicted with some diseases than with others, do they not?—A. Yes, sir, undoubtedly.

Q. Did the fever and ague get among them after they came down here?—A. Yes, sir.

Q. Would that, or would it not, have a tendency to break down their

spirits, and make them feel discouraged?—A. Yes, sir; certainly it would.

Q. Was it children, or old people, that had the fever and ague?—A. A greater number of children suffered with it than of adults, I think.

Q. Did they say anything about desiring to go away from here, in connection with this sickness?—A. They never did to me.

Q. Do you think the fact of an unusual amount of sickness, coupled with the fact that they knew there was a lack of medicines here, increased their discontent?—A. It may have had something to do with it.

Q. Did you ever have occasion to visit Wild Hog's lodge professionally?—A. I did.

Q. Was his family sick a great deal?—A. I cannot remember; I know that a number were sick in his lodge, but whether any of his children were sick or not I am not able to answer.

Q. Were any in Dull Knife's lodge sick a great deal?—A. A few were sick there; I remember that he asked me for medicine to take with him, about forty-eight hours before he left.

Q. Did he communicate to you the fact that he was going off?—A. No, sir; he said they were going to move their camp, and wanted to take medicine with them, so as not to have to come so far for it.

Q. You were satisfied afterward that he wanted it to take with him?—A. Yes, sir; he said that it was a good ways to the agency from the place that he was going to move his camp to, and he wanted enough medicine so that he could doctor the members of his own family and band.

By Mr. MORGAN:

Q. Have these Indian doctors any real skill in treating diseases?—A. None whatever; except a very primitive knowledge of setting broken bones.

Q. Would the Indians take your remedies freely through your advice?—A. Yes, sir; the only trouble has been that we have not had enough to give them.

J. A. COVINGTON.

CHEYENNE AND ARAPAHOE AGENCY,
Indian Territory, August 20, 1879.

J. A. COVINGTON sworn and examined.

By Mr. DAWES:

Question. Mr. Covington, what is your occupation?—Answer. I am head farmer for the Cheyenne and Arapahoe Indians.

Q. How long have you held that position?—A. Since the 1st of April, 1877.

Q. What are your duties?—A. They pertain to the agricultural department of the Indians; in fact, I have the oversight of everything pertaining to them away from the agency.

Q. Please state more particularly what you do.—A. I superintend the breaking of land, the making of fences, the putting in of crops, and the caring for crops as they are raised; and I attend to any other work that comes under the general head of farming during the season for such work.

Q. Has there been any change in your employment, or have you been at the same employment all the time?—A. I was formerly chief clerk.

Q. I mean since you have been head farmer?—A. Since I have been head farmer my duties have been pretty much the same.

Q. Under what circumstances do you attend to the breaking up of land?—A. Usually in the spring of the year.

Q. I do not mean the time of year, but under what circumstances; do you go out of your own notion, and break up land anywhere it happens?—A. No; I do not break up the land myself, generally. I superintend the arranging of plows.

Q. For whom?—A. For the Indians.

Q. But how come you to do it? Does somebody ask you to?—A. I have done so by instruction, under Agent Miles.

Q. When are you set at work? Do you go when you have a mind to, and tell any Indian you happen to meet to go to breaking up land? If not, what do you do? Go on and give the whole process by which you go to work.—A. Well, in the first place, the Indian makes his wants known at the office, or somewhere about the agency, and reports that he wants to make a location, and has selected a site for a farm. It is then my duty to get onto my horse and go with him to visit the land which he has selected. I am under instructions from the agent as to what shall be considered a proper location for a farm; the three great requisites, he instructs me, are good land, good water, and good timber. If these are all present, I assist the Indian in making the location.

Q. Where he pleases?—A. Yes; if there is nothing to prevent it.

Q. How much land do they generally select?—A. From three to ten acres; sometimes as high as from forty to fifty acres, but usually not more than from three to ten.

Q. Then what?—A. The next thing in order is to get a plow, and get it rigged up, and get the land broke.

Q. Do you buy him a plow?—A. No, I give him a plow—furnish it to him from the supply sent out by the government—and take his receipt for it. Then I rig it up, and assist him to run it. I help him work it until he understands how to work it himself. I have usually more difficulty in getting the team to work than in teaching the Indian.

Q. How much do you do, how much time do you spend with him before you let him go along by himself?—A. From half a day to a day and a half, according to the adaptability of the young man. Some of them are right green; and some of them have poor teams. Some learn to plow easily, others not so easily.

Q. After spending a day, or a day and a half, with an Indian at the plow, have you anything more to do with him?—A. Not until after he gets the ground broken up.

Q. Then what? Go on with a statement of all that you do until you cease your connection with him.—A. We have a harrow here; we locate a harrow in a little neighborhood where there are four or five farms; we make each of them borrow the harrow and smooth the ground so as to be in a fit condition for seed to be planted; I show them how to use the harrow. Then I show them how to cross-plow so as to make a trench for the seed. I generally lay off two or three lands for the plow; after that they are generally able to do the balance themselves. The first season with a new hand I rarely lay out more than one way; after the first season, I show them how to lay out both ways—one way and across it—and plant the corn in the cross rows. After assisting them in planting half a dozen or a dozen rows, they get so that they can do it themselves. My object, of course, is not to do the work for them, but to teach them to do the work. After the land is plowed and laid out, and corn planted, a fence must be built. The fence we

uild here is of two rails and posts; we call it a post-and-rail fence. When close to good timber that will split easily we sometimes make a take-and-rider fence; but usually we put up a fence composed of posts nd two rails.

Q. Have you ever used barbed wire fence?—A. We have used wire nce, barbed; stringing the wires separately, and putting on the barbs fterward. Our experience is that any animal that will go through a ire fence without barbs, will go through one with barbs. We have ot used much of this kind of fence.

Q. Well, you follow the Indian right along, do you?—A. Yes, sir; in he case of the fence, we put up three or four panels, to show him the roper way to do it, and then he can do it himself. Indians are in many espects just like overgrown children; they have to be directed in very department; they have no capacity for thinking, as white men have een taught to do; but they are very quick to observe and imitate; hey can imitate almost anything after seeing a white man do it. I how him what kind of poles to get in the woods, and assist him to get wagon to haul them up, and then let him do his own work. In passng by occasionally I can see how he succeeds. A great many are not ble to get timber, or are too far away from timber to afford to build ven a two-rail fence; in that case we use only one rail—a pole in the enter, with brush above and below. I believe that about finishes up he farming work—plowing, and planting, and fencing. They are able o work their own way pretty generally after that.

Q. Do you have anything to do with helping them care for and gather n their crop?—A. Last season was the first that we did anything of hat sort; in a number of instances I directed that the corn should be aken and put in one spot, and shelled off and sacked, and hauled to he agency, and put in the commissary, where they could dry and sack as they saw fit.

By the CHAIRMAN:

Q. How is corn usually worked here; by hoes, or by single and double shovel plows?—A. By shovel plows; it is easier for an Indian to arn how to use a shovel plow than a mold-board plow.

By Mr. DAWES:

Q. The next year does he start in for himself?—A. I generally have rig the plow, and lay off a land or two for him.

Q. How many of that sort of farmers have you set on their feet since u have been the head farmer here?—A. There are eighteen farms of e kind I have described on the Canadian River, and fifty-one on this ream; I have assisted in them all.

Q. About how many acres in all?—A. There are about 691 or 692 res under actual cultivation.

Q. Who are the Indians that are doing this; the young men of the bes or the old men?—A. Usually the young men; the old men assist caring for the crops.

Q. Is this work going on in all three of the nations, Southern Cheynes, Northern Cheyennes, and Arapahoes?—A. Yes, sir.

Q. Which of them are doing the most?—A. There are more farmers ong the Arapahoes than among the Southern Cheyennes and Northn Cheyennes both together.

Q. When was this work commenced?—A. In 1872.

Q. Since then has it been on the increase or otherwise?—A. Conantly on the increase; when we came here there was not a stick of nber *cut.*

Q. Are there more farmers this year than last?—A. Yes, sir; and twice as many last year as the year before.

Q. How many new farms have you opened up this year?—A. Seventeen; besides some that Mr. Segar has between here and Fort Elliot that I do not consider in this count.

Q. How much of a crop do they gather?—A. They eat so much of it that it is a very difficult thing to make a correct estimate as to that.

Q. Do they eat it before they gather it?—A. Yes; they take it in the green state, boil it while it is yet a roasting ear, and cut it off the cob and dry it.

Q. They prefer that way of curing it for their own use?—A. Yes, sir.

Q. Does it constitute an appreciable element in the support of an Indian?—A. Yes, sir; very largely.

Q. Are the Indians who carry on these farms well behaved and peaceable?—A. They are usually the best behaved men on the reservation.

Q. Are they industrious and hard-working?—A. Yes, sir.

Q. Does an Indian easily learn to work?—A. Yes, sir; but it is harder for an Indian to work than for a white man; his hands and his body are not used to work.

Q. Do any of the Indians try to discourage the young men from working?—A. Yes; some of the old men do; but more of the women than of the old men; the women consider it unmanly to work—that the women ought to do the work; they were born and raised with that idea.

Q. They consider it effeminate to work?—A. Yes, sir; particularly in young men.

Q. You consider, then, that the women of the lodges, as a general thing, are opposed to the men going to work?—A. Yes, sir; there are some notable exceptions among them, but this is the general rule.

Q. Is there any other kind of agricultural employment, besides raising corn, in which you could get these men enlisted?—A. They might raise melons and all kinds of garden vegetables.

Q. Would you have to show them how?—A. Yes, sir, just the same; it would not be so very difficult to show them how to plant what you might call a white man's garden as to make them understand the uses of the different kinds of vegetables after they were grown; we would have to teach them how to cook vegetables as well as how to raise them.

Q. Are Indians fond of melons?—A. Very.

Q. Do they raise beans?—A. Yes, sir; more than any other vegetable.

Q. Do they raise them till they are ripe?—A. No, sir; they use those green.

Q. Do they make succotash of them?—A. Sometimes; but they usually boil the pods.

Q. Do they to any extent ripen them and keep them for winter use?—A. Yes, sir; but those that they save they usually intend for seed.

Q. Is this soil good for the bean?—A. Very good.

Q. Is there any other kind of vegetable that the Indians are inclined to raise?—A. Yes, sir; there is no kind of vegetable adapted to this latitude but would grow here in abundance if properly cared for.

Q. Can the Indians be induced to raise pease, beets, cabbages, &c.?—A. Yes, sir; hundreds of bushels of all those things were grown on this reservation last year.

Q. Will the Indians keep the seed of the various articles they raise, or will they come to you the next year and ask you for seed?—A. Beans *they* will save; and sweet corn, and maybe radish; but not cabbage,

for they don't know how to save that; and to raise and save onion seed is still more difficult.

Q. Have you any ideas about their being able to take care of cattle, and become herdsmen?—A. They take splendid care of their ponies; and cattle certainly will thrive and do well with half the care they bestow upon their ponies.

Q. But they never kill and eat their ponies unless in great distress for food; and might they not kill and eat their cattle?—A. Yes, sir; they might; that is the only great drawback we would have to contend against.

Q. Have you had any success heretofore in inducing them to become cattle-raisers?—A. There are twenty or more Arapahoes who have herds or bands of cattle ranging from seven to sixty head; the herdsman who has just been married here has sixty.

Q. How old is he?—A. In the neighborhood of twenty.

Q. How did he get his herd?—A. By devoting his wages to the purchase of cattle.

Q. All of his own notion?—A. Entirely.

Q. Is he capable of managing them himself?—A. Yes, sir; so far as caring for them is concerned; in case of the sale of cattle he would probably have to depend upon the agent.

Q. Has the government done anything to set up men in the business of cattle-raising?—A. When we first got our wagons, eight head of cattle were issued with each wagon as an inducement to take care of the wagon, and use it properly.

Q. Issued to whom?—A. To the parties to whom the wagons were issued.

Q. What has become of those cattle?—A. The Cheyennes have eaten theirs up, I am sorry to say; but White Shield and Little Chief have cattle with the Arapahoes.

Q. What have the Arapahoes done with theirs?—A. They have kept them, almost without exception.

Q. What success have they had with them?—A. Good success, so far.

Q. How long ago were those cattle issued to them?—A. Three years ago. I do not mean to say that they have not eaten *any* of their cattle; they know enough to eat a three year-old-steer when he gets big and fat; but they hardly ever eat a heifer.

Q. Why not?—A. Because of the milk.

Q. Are they fond of milk?—A. They are very fond of milk.

Q. Do they do any such thing as to make butter or cheese?—A. The great trouble we have to contend with in trying to make butter and cheese is the lack of a proper place to keep the milk; the hot weather renders it very difficult to keep milk around an Indian camp. I have been in hopes for five years past of getting some houses built, and then we could make some arrangements regarding milk.

Q. What would be your opinion in regard to taking the twenty thousand dollar beneficiary fund, or a portion of it, and purchasing a few cows for each Indian who would undertake to keep them, and raise a herd from them? Could you watch them, and take care of them, and teach the Indians to take care of them?—A. Among the Arapahoes, I am very certain, a project of that kind would be successful; whether the Cheyennes are far enough advanced to see the advantage to be derived from keeping the cattle, and refrain from eating them, seems to me a little doubtful.

Q. Is this effort to *introduce agricultural* implements proving success-

ful? Is the use of them by some of the Indians inducing others to take hold?—A. Yes, sir.

Q. Or do you have to persuade them into it?—A. It is contagious; they see others plowing and planting, and afterward getting the benefit of the crop, and it makes them ambitious to do the same thing.

Q. Those who have gone at work, have they done so from persuasion of yours or from their own notion?—A. Partly from both; the first two or three years we used every honest effort to persuade them; and occasionally since then, when occasion seemed to warrant. To try to set Indians at work who were dissatisfied with the country and determined to leave it, would be considerably like casting pearls before swine; for when a man's heart is not in his work, he better not attempt it.

Q. Do you think there is any considerable portion of these three tribes that could be induced to work?—A. I think that by far the greater portion of them all could be in the course of time.

Q. What kind of agricultural employment, in your opinion, would be most attractive to the Indians; in what would they be most likely to succeed?—A. My opinion is that they would succeed as herders; I think they would take to herding cattle naturally, as one might say; at least, more easily and quickly than to anything else. The first thing a boy does—and he continues it until he is a young man—is to herd his father's ponies. And it is easier to herd cattle than it is to herd ponies; it is less work and easier work than ordinary farming; less strength is required; it don't wear a man's body out, and especially his hands out. Indians have shown me their hands before now, after a hard day's plowing; there were blisters on every finger and the blood running; very few white men would work until their hands were in such a condition.

Q. After experience at the work, would not their hands get over that?—A. O, yes; I presume so; the same as a white man's.

By Mr. PLUMB:

Q. Do you think it is as hard work to raise cattle as to do other ordinary farming work?—A. I do not think it is any harder.

Q. Is it as hard?—A. Perhaps it is as hard.

By Mr. DAWES:

Q. Wherein lies the difference?—A. Cattle-raising requires constant attention, without the hard physical effort all the time that farming does.

By Mr. PLUMB:

Q. Is not the return from cattle raising a great deal more certain than from ordinary farming?—A. Yes, sir; agriculture, so far as the raising of corn and other farming products is concerned, is pretty precarious in this climate.

Q. What would be the principal hinderance to the Indians engaging in cattle-raising?—A. The constant care and attention it would require more than an Indian ordinarily gives to anything.

Q. How many men does it take to herd a thousand cattle?—A. Four or five energetic men could do it.

Q. A thousand head of cattle would be worth fifteen thousand dollars?—A. Yes, sir.

Q. Do you know of any other work where four men could carry on and take care of fifteen thousand dollars' worth of it?—A. I do not think I do.

Q. There would be no hay to cut nor shelter to provide, would there?
A. No, sir.

By the CHAIRMAN:

Q. Have you ever tried the raising of wheat or rye in this country?—
No, sir.
Q. Or oats?—A. We know we can raise good oats here.
Q. How comes it that you have never tried to raise wheat?—A. Be-
se we have no mills here suitable for grinding.
Q. Do you know anything about the kind of grass called alfalfa?—
I was acquainted with it in California; I never have seen it in this
ntry.

By Mr. DAWES:

Q. Do you know anything about the outbreak of the Northern Chey-
es?—A. I was in their camps every few days, the same as the
ers.
Q. Had you anything to do with setting any of them at work?—A.
te a number.
Q. Before the outbreak, had any of them gone into any kind of em-
yment?—A. A number of Northern Cheyennes had, but none of that
ticular band that went away; none of Dull Knife's band, nor Wild
g's, nor Little Crow's.
Q. Did you ever hear them say how they came to locate in this coun-
?—A. No, sir; but I heard them many times state their intention
return to the north.
Q. How long before they did actually return to the north?—A. Per-
os six months, more or less.
Q. What did they say about it?—A. They expressed their general
satisfaction with the country, and their desire to return north.
Q. Did they say they were going, whether or no?—A. They didn't
y whether or no.
Q. Did they say they were going that season?—A. They didn't specify
ien.
Q. Did you, or anybody else that you know of, ever tell them that
ey could not return without leave?—A. I think I told them that two
three dozen times.
Q. What answer did they make to that?—A. They usually laughed,
d would pass it off in that way.
Q. Did you gather from anything they said that they intended to do
violence?—A. They did not intimate anything of the kind to me.
Q. Did you discover that any of them had arms?—A. When killing
f they had guns, the same as the other Indians.
Q. Did you ever notice anything of the kind when you were in their
ips?—A. No, sir.
. Do you know anything of the circumstances that attended their
aking out?—A. I was up in their camp, I believe it was the third
before they left, to invite them to come down and be counted. The
thern Cheyennes had made a report to me that a part of the young
of the Northern Cheyennes had left the reservation. The agent
desirous of having them come in and be counted, to ascertain
ther this was a truthful or false report.
. What did you learn in regard to the matter?—A. I had some diffi-
y in learning where they were camped, exactly. I was first told
they were camped up north of the black-jacks, in a certain locality;
ent there, and found that they had gone. I met another man, and

asked him where they were; he said they were moving camp. I asked him where they were moving to, and he pointed his finger up north—not making any other reply. I went north through two or three miles of timber, and came out on the prairie beyond the timber; and off down in the large valley there I saw the whole community all packed up; they were returning back to the timber; they had evidently been out there, and turned round and came back. I supposed at the time that this movement was occasioned by their failure to find water. I immediately rode out there where they were, and found Dull Knife, and asked him what they were doing out there on the prairie; he said the women were frightened and afraid to put up their camp. I asked him what they were frightened about. He said on account of the soldiers. I told him they need not be afraid of them, for they had not come to fight. He repeated that the women and children were afraid to go into camp. I waited half an hour for all the camp to come up; among them came Wild Hog, Old Crow, and all the principal men of the village. We talked for an hour over the situation. I saw then that they were all well armed; I never before had seen so many arms among them. I asked them what they were going to do; they said they did not know. I asked them if they would be willing to go with me to a camp I would select; they said they would. I asked them to fall into line, and I took them across the timbered ridge, and located them down on the river bottom next to the sand hills. I told them that there they would have plenty of good water and good grass for their ponies; it was a very dry time, and water was very scarce; they promised me faithfully that the next morning they would bring their young men into the agency to be counted. I returned to the agency, and made a report of the interview; after that I heard nothing more about the matter; that was Friday; on Saturday I watched all day at the agency; in the evening Old Crow came in; none of the rest of them came in to be counted according to promise.

Sunday morning the agent asked me to go with the doctor to where the Northern Cheyennes were camped to see some of the sick and ask them what was the matter that they did not come in and be counted; he wanted to count them before Monday, so that he could issue them beef. I went up there with the doctor; while he went through the camp, looking at the sick and prescribing and issuing medicines, I held a little council with Wild Hog and Dull Knife and Old Crow, and all the principal men of the village; they on the ground, I in the buggy; we talked for a considerable time. I asked them if they were going down to the agency to be counted; they would not make me any direct answer; at least, I inferred from their sullenness in regard to the matter that they did not intend to go down. I explained to them the dire consequences of going away. I told them that the troops were there now only to watch them, not to harm them; but that if they took the women and children and went north, the troops would stop them. But they gave me no satisfaction in regard to the matter at all. When the doctor had finished his medical rounds, he got into the buggy and we returned to the agency. I at once made a report to the agent of all I had seen and heard.

That night, or rather about one or two o'clock the next morning, somebody knocked at my door, and wanted my brother-in-law to go to Fort Reno and notify Colonel Mizner that the Indians had gone north.

Q. You were not a member of the party that pursued them?—A. No, sir.

Q. You know nothing of what was done after the Indians left the reservation?—A. Only by hearsay.

Q. Did the party that pursued them bring any of them back?—A. Not that I heard of.

Q. How many days was the party in pursuit of the Indians before its return?—A. They were gone about three months, I believe.

Q. Did these Indians, when they talked with you about going off, give you any reason for wishing to leave?—A. The principal reason they gave me was that they were all dying off; if they stayed there, they said, they would all die. They complained, too, of insufficient rations; they were all the time complaining about the rations being insufficient.

Q. Did they give any other reason?—A. No other that I remember.

Q. Did they ever say anything about the terms on which they came down?—A. They said they never came to this country to be located here permanently, only to look at the country, and to stay if they liked it.

Q. Did they say they brought all their women and children for the sake of having them look at the country?—A. They did not say anything about that; they merely said they came down with that view.

Q. Did they say there was any condition upon which they came south?—A. I do not remember that they recounted any conditions; only when we were talking with them about putting their children into the school they said they were going back north, and when they got back they would put their children in school there.

By Mr. PLUMB:

Q. Did you make any report to the officer commanding the battalion, near the Indians, of the condition of things you had observed in their camp?—A. I did not.

Q. Did you report it to Captain Rendlebrock?—A. No, sir.

Q. Or to Colonel Mizner?—A. No, sir.

Q. Did you not report that you found the Indians peaceful, and in no danger of going away?—A. I did, to Agent Miles, in presence of Major Mizner.

Q. That was your belief, was it?—A. Yes, sir; it was my impression at that time that they were not going away, but that they were just bull-headed enough to think that we wanted them to remove their lodges down here east of the agency; and that they were suspicious of some trick to strike them on their way down if they came down; that if they left their women and children in the camp, and took their young men to the office to be counted, the troops would strike the women. That was the impression I had at the time, and that was the impression I gave in my report to Agent Miles.

Q. You had been in their camp and backward and forward for several days?—A. Yes, sir.

Q. You were pretty well acquainted with the Indians?—A. Yes, sir.

Q. You had access to them as much as the military authorities had?—A. Probably more.

Q. Consequently your opinion, when based upon sufficient facts, was as likely to be confirmed as theirs?—A. I think so. I believe I reported after my trip to the Northern Cheyenne camp on Friday after the council with Wild Hog and Dull Knife, and Old Crow, and their party, that I thought the presence of the troops was disaffecting the Indians, who were very uneasy and suspicious.

Q. They thought that the troops were camped too close to them?—A. Yes; they evidently had a suspicion of the troops; I did everything in my power to place the *presence of the* troops in as charitable a light as I *could.*

Q. I understood you to say, a few minutes ago, that the troops were there for the purpose of preventing the Indians from going away?—A. That was afterward, on the Sunday following; on Friday I made no such statement as that.

By the CHAIRMAN:

Q. Do you keep the books for the agent?—A. I do some times, when the clerk is away.

Q. Do the books show what amount of each article of supply has been issued?—A. The reports show that.

Q. Are not the reports taken from the books?—A. The reports are taken from the weekly issues.

Q. The reports you make to the Interior department?—A. Yes, sir.

Q. Are they on file in the department?—A. Yes, sir.

By Mr. DAWES:

Q. How often do you make your reports to the Interior Department?—A. Weekly.

Q. After every weekly issue you make a report of it?—A. Yes, sir; we report the amount received during the week, the amount issued, and the amount remaining on hand.

By the CHAIRMAN:

Q. The Interior Department has the requisitions made by the agent for supplies?—A. Yes, sir.

Q. The Interior Department has, of course, a detailed statement of what supplies are forwarded?—A. Yes, sir.

Q. You are sometimes out of some article composing the rations, are you not?—A. Yes, sir, sometimes; but not so frequently now as we used to be; several years ago it was a very frequent occurence.

Q. I will ask you, in case that coffee or sugar is lacking, whether you increase the amount of the beef or pork supply?—A. That is the general rule; almost invariably we issue beef in lieu of coffee, or sugar, or flour, or anything else that is out.

Q. What is your judgment upon this question; is the ration as fixed by law sufficient for the Indians? Take him as he is, not as he ought to be, with the training he has had, and the mode of living to which he has been accustomed, is the ration that is allowed him by law sufficient for him?—A. I should say not; certainly not.

Q. In what is the deficiency? In what ought the increase to be?—A. I should say the coffee, and sugar, and beef, and flour ought to be increased.

Q. If all of them could not be increased, which of them ought to be?—A. I should say, increase the beef.

Q. What would be the effect to furnish a larger supply of bacon, instead of beef?—A. It would do very well; still, the beef would go further with the Indians than the bacon.

Q. Will they not eat more beef in proportion than they will bacon? A. They will eat more, but it will not cost so much; the amount of money that will furnish one pound of bacon will furnish three or four pounds of beef.

Q. Is it their habit, when they get their rations of beef issued on Monday, to go right to work and eat it up, without reference to the length of time it ought to last?—A. They invariably eat it up as soon as they can. They sometimes tell me they eat it up to prevent it from spoiling.

Q. How many days does it generally last them, the way they use it?—A. Three or four days.

Q. And the rest of the week they are without meat?—A. They are without beef; they sometimes buy a little bacon from the settlers when we cannot issue it to them; they trade their hide money for it. When their beef and bacon is gone, they live on bread and coffee.

Q. So the first part of the week they have a feast and the latter part of the week a famine?—A. That is about the way of it. I found the same difficulty in transporting freight between here and Wichita. In issuing rations to the different wagons, I would say, "Now, eat some bread, and bacon, and so on, and save a part of your beef till you get to Wichita"; but it was of no use; about the end of the third day the beef would be all gone and the flour all left. All the rest of the time they had to live on bread and coffee straight.

Q. You could not get them to live on bread during the first part of the week?—A. No, sir; they insist upon eating their beef first and then their bread; you can't get them to mix things. It was always just so with them when on a buffalo hunt; they never wanted anything but buffalo; they never would ask for sugar, or butter, or anything of that kind.

Q. These children that you are bringing up in school, are they going the same road, or do they mix things better?—A. They are brought up and compelled to eat just the same as we do; they eat bread and butter and all the appurtenances.

Q. Do they appear satisfied with that mode of living?—A. Very well, so far as my knowledge extends.

J. F. WILLIAMS.

CHEYENNE AND ARAPAHOE AGENCY,
Indian Territory, August 20, 1879.

J. F. WILLIAMS sworn and examined.

By the CHAIRMAN:

Question. What is your connection with the agency here?—Answer. I am agency blacksmith.

Q. Have you had any means of determining whether young Indians can learn your trade?—A. Yes, sir; to some extent.

Q. What is your conclusion?—A. I think they can learn my trade. A number of them have shown quite a mechanical genius.

Q. Have any of them shown a disposition to learn your trade?—A. Yes, sir.

Q. Is there any arrangement by which you can take into your shop one or more of these young Indians?—A. There has never been any arrangement of that sort made; there would be no way of doing it, as matters are now, without taking them right into my family.

Q. At what age should you have them in your charge for that purpose?—A. From sixteen to eighteen.

Q. The difficulty has been, if you took them into the shop you would have to take them into the family to live with you?—A. Yes, sir.

By Mr. PLUMB:

Q. Why could they not board in the school, the same as they do now?—A. They have talked about making that arrangement.

Q. There is no physical impossibility in doing it?—A. I suppose not.

By the CHAIRMAN:

Q. What other mechanical branches are carried on at this agency besides blacksmithing?—A. There is a carpenter and a wheelwright.

Q. Do you not think that, if the necessary arrangements could be made, persons could be found among the Indians here who would learn those trades?—A. Yes, sir; I have no doubt there might.

Q. Would you think it a desirable thing for the Indians to have these trades taught?—A. Yes, sir; they come into my shop and work, doing odd jobs for themselves, very frequently; some of them are in there at work in that way almost every day, I think.

By Mr. DAWES:

Q. Do any of them ever express a desire to learn the trade?—A. Yes, sir; a great many of them have said to me that they would be very glad to understand blacksmithing.

By the CHAIRMAN:

Q. Do the Indians shoe their ponies at all?—A. O, yes, sir.

Q. Do you shoe them?—A. I fit their shoes for them; they drive them on.

Q. They put the shoes on to their ponies?—A. Yes, sir; I fit the shoes, and give them nails.

Q. Can the most of them do that?—A. No, not the *most* of them; but a great many of them can.

By Mr. DAWES:

Q. Do they pare off the hoof?—A. They do not have the tools for paring; but they get my tools.

By the CHAIRMAN:

Q. Do you not have occasions to overhaul their wagons sometimes?—A. Yes, sir; frequently.

Q. Have you noticed whether they keep the axles of their wagons greased?—A. They do, better than they did; at first they did not understand anything about the need for it, and neglected it; but now they take a great deal better care of them.

By Mr. PLUMB:

Q. In shoeing horses, isn't it the proper way to leave the hoof in its natural condition?—A. You want to just level the foot sufficiently to give the shoe a proper rest; it is generally pared too much.

J. K. MIZNER.

FORT RENO, *Ind. T.*, *August* 21, 1879.

Maj. J. K. MIZNER sworn and examined.

By the CHAIRMAN:

Question. State your position at Fort Reno and how long you have occupied that position.—Answer. My position is that of major in the Fourth United States Cavalry, and I have been in command of Fort Reno since April 19, 1876.

Q. Please give, in the shape of a detailed narrative, whatever you may know of the escape of the Northern Cheyenne Indians from the

agency near this place in the fall of 1878, and of the causes which led thereto.—A. About the 5th of August, 1877, a band of Northern Cheyennes, under the leadership of Standing Elk and Living Bear, were brought to this agency by Lieutenant Lawton, of the Fourth Cavalry. An enrollment of them showed nine hundred and thirty-seven persons of all ages. They were transferred from the care of the military to that of the agent on the 8th of August.

Some time—within a short time—after their reaching here, a number of these Northern Cheyennes commenced to manifest a dissatisfaction with the country, and in various talks with the agent and others they expressed a wish to return to the north.

The winter following their arrival here they went out with a portion of the Southern Cheyennes on an annual buffalo hunt. Their conduct and feeling, at least the feeling known to exist among a portion of them, gave the agent and myself some anxiety, lest some of them might leave and return north without our being able to prevent it. They might at any time, some of them, leave and go north. So much was that a part of the purpose of these Indians then, that Old Crow lingered after the return of the majority of them, and I saw that it was his intention then to go north. However, they all finally returned to the agency and remained until the early part of the following September.

There was all the while more or less complaint among them. First it was as to the manner of issuing rations; then as to the quantity; sometimes as to the quality. There was a feeling of dissatisfaction, apparently, existing among them, but neither the agent nor myself had any thought that they would leave in the manner in which they finally did.

On the afternoon on the 5th of September, I should think about five o'clock in the afternoon, Mr. Campbell, one of the agent's employés—his clerk, in fact—came to my quarters and reported to me that the Northern Cheyennes had gone. I asked him how many of them; he said he was unable to state. I asked him if he thought a majority of them had gone; he said yes. I asked him why he thought so; he said they had been seeking to draw rations for two weeks at a time, instead of one; they had asked permission to remove to the Cimarron River, at some distance from the agency, and had failed to put their children in school. This, together with my previous knowledge of the feeling among them, led me to believe that the report was well founded. I immediately assembled all the available cavalry force at my command, and in a little over an hour they were on the way, with orders to ascertain the truth of the report and act accordingly. The next morning it was reported to me that the troops had found the Indians still in camp and that they claimed that none of them were absent. I thereupon directed the troops to go into camp as near as possible to the camp of these disaffected Indians and continue to investigate as to the absence of any of them, and to watch their movements closely. The troops were afterward instructed to allow no Indians to leave except to go in the direction of the agency.

The next day—which would be the 7th—the agent, Mr. Miles, had an interview with the Indians, in which he directed that they should be enrolled. He told them that, for that purpose, he wished them to remove to the neighborhood of the agency. About noon of the 7th, I visited the agency, expecting to find the Indians there for enrollment. To my surprise there were none of them at the agent's office; he told me, I think, that Old Crow had been there to explain why they had not come. On another occasion the Indians claimed that there were too

many sick among them for them to be able to comply with the agent's orders. I suggested to the agent that he send his medical officer to determine that point. I think it was on the 7th that the doctor visited their camp, and that evening reported that he had found a number of the Indians sick, but not so sick as to prevent them from moving to the point designated, so that they could be enrolled. I believe the agent sent his representative with the doctor to explain to the Indians what would be required of them, and it was presumed that they would move in on the 8th.

The 8th—Monday, at least, and I think that was the 8th—was ration day. The Indians had been notified that they would have no more rations issued to them until they complied with the agent's order. It was found that up to that time, the 8th, the Indians had not moved; nor yet had they moved up to the 9th.

About five o'clock on the afternoon of the 9th I visited the agency; I found the agent interviewing Old Crow and Wild Hog and Little Wolf; I found that the Indians were still giving reasons why they were unable to move down and be enrolled; the agent was insisting, in a kind way, upon compliance with his order; I joined in the conversation, in a kind way, to insist upon compliance without a resort to force. I last saw these three Indians just about sundown, or possibly a little after. That night the Indians started north, leaving their villages standing, and taking with them only their horses and personal effects.

Their departure was reported to me, by a representative or messenger of the agent, about half past three o'clock the next morning; I immediately ordered troops in pursuit, having the usual orders given to troops under such circumstances. The officer in command was particularly instructed, if he could induce the Indians to come back without resort to force, to do so. I wish to draw especial attention to this point—that he was *particularly instructed* to induce the Indians to come back without resorting to force, if he could possibly do so.

By Mr. PLUMB:

Q. I would ask whether you had any report from the camp, at any time before the Indians escaped, by any employé of the agency; and if so, what effect, if any, such report had upon the precautions adopted to prevent the flight of the Indians.—A. The agent, Mr. Miles, sent Mr. Covington, as his representative, with Doctor Hodge* to visit the camp of the Indians. Mr. Covington is known as the agency farmer, and was at one time the agent's clerk. On Mr. Covington's return from visiting the camp, I was in company with Mr. Miles; Mr. Covington reported to Mr. Miles, in my presence; practically, he reported to us jointly; to make my story clear I ought to explain that Doctor Hodge* was sent to ascertain whether any of the Indians were too sick to come in and be enrolled; this was one reason which had been given by their leaders for not coming in; Mr. Covington was sent with the doctor to convey the agent's orders, and to explain what would be required. On the afternoon of the 7th,* after Mr. Covington had returned from his visit to the Indian village, he told us—Agent Miles and myself—that he had visited nearly every lodge in their camp; had talked with a majority of their leading men for some time, seated in a circle; that they were in a very destitute condition; that he did not think they had a day's food in their camp; that he did not believe they intended to fight; that he

* Observe that this witness assigns a different date to this visit from that given by the agent (Mr. Miles), and the agency farmer (Mr. Covington). There are also some other differences as to dates.

did not think there was any fight in them. During this interview, a post guide entered with the information, which had come through an Indian, that the Indian women were digging rifle-pits. Mr. Covington, on being questioned as to whether this was so, said he had seen nothing of the kind; he did not think they intended to fight, and did not believe they had any fight in them. The effect of Mr. Covington's report was to incline Agent Miles and myself to the opinion that the Indians would eventually comply with his instructions and move in. I had given such instructions to the officer in command of the forces which I had sent out that I had reason to presume he was in a position to know the movements of the Indians; he was camped right alongside of them, and nothing could occur among them without his knowledge. This officer sent a message by Lieutenant Wilder to me that if he should be obliged to drive these Indians out of the sand-hills, he would like some artillery. I had guns fit for that service, but I did not send them to him. I sent him special instructions not in any way to interfere with the Indians, or do anything to provoke hostilities, but simply to watch them closely, and to let none of them leave except to go in the direction of the agency; and that if any severer measures were found necessary, he would be informed. My whole object was to avoid, in the immediate vicinity of the agency or on the reservation, hostilities that might endanger the peace and safety of the entire reservation; for if a fight were provoked here, I feared that other Indians, through sympathy, or excitement, or various other causes, might join in the fight and make the matter worse. Our sole effort was to make the discontented Indians conscious of their mistake. I still hoped they would come in and be enrolled, without making any trouble. I was hardly willing to believe that the number of Indians supposed to be there would attempt to leave in the presence of such a display of military force.

By the CHAIRMAN:

Q. Complaint has been made by the Indians who have testified before us that the rations furnished them were insufficient. Please give the committee any information you may have bearing upon the question of the quantity of rations actually issued to the Indians by the agent, and their sufficiency; and also as to the amount of supplies furnished to the agent, and their sufficiency.—A. In attempting to answer that question, I must first allude to the complaints the Indians made to me.

Going back to the spring of 1877—in fact, to the winter previous—and at various times from then until the present, the Indians have visited me at my post, where they have frequently spoken on the subject of their rations, and have made complaint of their insufficiency. Their complaint has sometimes been of the amount of beef furnished them; very loudly of its being insufficient, and sometimes of its being very poor. I think it was Cut Finger (who has been before the committee) who made a very stirring appeal at the agency, exposing his emaciated figure and protruding ribs as evidence to prove how badly he was fed. These complaints made by the Indians as to the amount of subsistence received led me, in view of my responsibility for the proper behavior of the Indians on this reservation, as the commanding officer of the troops next the agency, to make an investigation into the matter. I felt it important that I should know, as nearly as possible, the exact condition of affairs. I commenced, as I see by my letter-book, to collect information upon this subject about two years ago last May. The information I have since gathered has been partly furnished me by correspondence with the agent, over his own signature; partly furnished from time to time by him-

self and Mr. Campbell, his clerk, always cheerfully, as I explained to them that my object was to secure, by an appeal through the military channels to Washington, a more liberal supply of subsistence. The information gained at that time, in May, 1877, is embraced in a report which I made to the adjutant-general of the Military Department of the Missouri, commanded by General Pop . This is the document (placing it in the hands of the committee); it is certified to as a true copy. I would like to have the committee examine it, and have it made a part of my testimony. The information furnished therein is based upon information furnished me by Agent Miles, over his signature. (See appendix, Exhibit "E.")

Q. What was the result of that communication?—A. I think simply that the department commander conveyed the substance of it to Washington.

Q. What is the substance of it?—A. A very large deficiency in each and every article necessary for the subsistence of the Indians for twelve months.

Q. In any particular articles move than others?—A. Yes, sir.

Q. In what?—A. More especially in flour, coffee, and sugar.

Q. In beef how was it?—A. There was a less proportionate deficiency, but still a very considerable deficiency, in beef.

Q. The communication itself will show how much the deficiency is in each article?—A. Yes, sir; it will unless there are errors in the computation.

By Mr. DAWES:

Q. Have you made any such computation, by which you can state the deficiency in each of these articles?—A. I must rely upon the figures furnished me.

By the CHAIRMAN:

Q. Accepting them as correct, how much is the deficiency?

The WITNESS. Do you wish a statement in regard to each article?

The CHAIRMAN. Yes, sir.

The WITNESS. Before entering upon that, I would like to call your attention to a remark of the Commissioner of Indian Affairs, in his letter to the Secretary of the Interior, dated November 16, 1878. The Commissioner writes: (See appendix, Exhibit "J.")

Maj. J. K. Mizner, by his want of familiarity with the subject, is led into a serious error in his published statement, by his assumption that the treaty calls for both beef and bacon, when in fact it only calls for beef *or* bacon.

Now I would call your attention to the language of Agent Miles's letter to me. He says:

In compliance with your request of the 23d inst, I furnish you the following *authorized Indian ration:* To each 100 rations—beef, 300 pounds gross; flour, 50 pounds; coffee, 4 pounds; sugar, 8 pounds; *bacon* 10 pounds; salt, 1 pound, &c.

Now, I submit whether from that language I am not justified in drawing the conclusion that the ten pounds of bacon are as much a part of the regular "authorized Indian ration" as the three hundred pounds of beef, the fifty pounds of flour, or the one pound of salt. Again, below the list of articles constituting the regular "authorized Indian ration," that in case any of the above articles are not on hand, certain other articles may be issued as substitutes, thus:

Twenty-five pounds hard bread in lieu of flour; one pound of mess beef in lieu of fresh beef; five pounds of lard in lieu of bacon.

There again, you will see, bacon is treated as a part of the "author-

ized Indian ration," the same as flour and fresh beef; while lard is mentioned as a substitute for bacon, bacon is nowhere referred to as a substitute for anything else.

Now in reference to the deficiency in the various articles, according to the statement furnished me by Mr. Miles. Mr. Miles says:

The amount of beef required for the year was 4,320,870 pounds; the amount actually furnished was 3,000,000 pounds; the deficiency, you will see, was 1,320,000 pounds and over, or something over thirty per cent. The figures, you will recollect, Mr. Miles furnished me; and the calculations you can easily make for yourself.

Flour.—The amount required was 720,145 pounds; the amount furnished was 260,000 pounds; but a very little over *one-third* the amount required.

Coffee.—The amount required was 57,611 pounds; the amount furnished was 21,936 pounds; again but a little over *one-third* the amount required.

Sugar.—The amount required was 115,222 pounds; the amount furnished was 44,019 pounds; about forty per cent. of the amount needed.

Bacon.—The amount required was 143,929 pounds; the amount furnished was 45,657 pounds; *less* than one-third of the amount required.

Salt.—The amount required was 14,393 pounds; the amount furnished was 8,849 pounds; a little over half the amount required.

There was not quite one-third the soap, and but little over half the tobacco, furnished that was required under the treaty; but these things are perhaps of less consequence to the Indians—particularly the soap.

You will notice that the deficiency in fresh beef was to some slight extent made up by the issue of 105,000 pounds of salt beef; but that still leaves a deficiency of 1,215,870 pounds—nearly a million and a quarter pounds.

Q. What was the result of this communication to the War Department? What followed?—A. I heard nothing from it, sir.

Q. Did you follow up the matter any further?—A. Similar complaints on the part of the Indians, and the same feeling of responsibility, and consequent anxiety on my own part, led me to write another communication, to——

Q. What was the date of your next communication?—A. September 19, 1878.

Q. What did that contain?—A. It was in substance a repetition of what I had said before. It was based upon the official report made to me of the number of Indians at the agency—five thousand and four Indians; this, multiplied by 365, the number of days in a year, gives a total of 1,826,460 rations issued. I will put it on the blackboard here, so that you can see for yourself whether there is any error in the calculations. You will see that 1,826,460 rations of beef, at three pounds per ration (gross, as it is issued at the agency), amounts to 5,479,380 pounds of beef per year, the amount required according to the stipulations of the treaty.

Flour, half a pound per ration, for 1,826,460 rations, would amount to 913,230 pounds per year.

Coffee, four pounds for each hundred rations, for 1,826,460 rations, would amount to 73,056 pounds per year.

Sugar, at eight pounds per hundred rations, would amount to 146,112 pounds per year.

Beans, at three pounds per hundred rations, would amount to 54,792 pounds per year.

Corn would of course amount to the same as the flour.

The deficiency of these articles I calculate from figures officially

furnished me, as you will see on page 46 of the report of the General of the Army to the Secretary of War, which I desire to make a part of my statement, as it shows, in a briefer form than I can tell it, the deficiency for that year; it embraces my letter, the contents of which you have requested me to state. (Here the witness pointed out to the chairman of the committee the portion of the report which he wished introduced as evidence. See appendix, Exhibit "F.")

Q. This letter of yours, embodied in this report, shows a large deficiency in the supply of these Indians, below what the treaty entitles them to?—A. Yes, sir.

Q. What, if any, further steps did you take to secure to these Indians the full rations to which they were entitled under this treaty?—A. That was the main and principal measure adopted by me.

Q. Did you make any other communication to the War Department, or to any official, after this one bearing date of the 19th of September, 1878?—A. I think I did—as to the causes which led the Indians to leave here. The full report on that subject is mainly embraced in the report of the General of the Army following this. I can give you the dates of the letters I have written, if you wish. This letter, dated September 18, reported that the Indians had gone, and how many. This letter of September 19, on the subject of the quantity of supplies furnished for the subsistence of the Indians for the year ending June 30, 1879, is the one we have been speaking about. My next letter is dated September 20, and details the causes which led to the escape of the Northern Cheyennes. At the same time I forwarded, and made a part of that letter, a letter from Agent Miles, dated September 20, giving his views of the causes of their leaving. Accompanying that was a table showing the weekly issues to the Indians at this agency, from July 1, 1878, to September 2, 1878—just previous to the Indians leaving. I know nothing as to the correctness of that, except that it was furnished by the clerk to me, and tabulated.

Q. What next?—A. That is all, except perhaps some telegrams.

Q. On what day were you informed that the Indians had left?—A. I was first informed that they had left on the 5th of September; but that report proved to be premature. The information which proved to be correct was brought to me on the morning of September 10, at about half past three o'clock.

Q. State what measures you took to recover the Indians, so far as you had anything to do with it.—A. I have already stated that I sent troops in pursuit of them, giving the officers instructions to use every possible effort to induce the Indians to come back without resort to force, and only to resort to force in case every other means proved unavailing.

Q. How long were those officers and soldiers in pursuit of those Indians?—A. The pursuit continued until some time after the middle of October, and to Sidney, Nebr. They returned to this post on the tenth of December, bringing with them Little Chief and his band.

Q. Were they a part of those who broke out?—A. No, sir.

Q. Did they bring back any of those who broke out?—A. They did not.

Q. That is, if I understand you, the soldiers did not succeed in their efforts to bring back any of those who broke out, but they did bring Little Chief and his band down here?—A. Yes, sir.

Q. How many were there of Little Chief's band?—A. About a hundred and eighty people.

Q. What other knowledge have you of what was done after the out-

ak, either by the Indians or by the army in pursuit, that you can e the committee?—A. The Indians were overtaken September 13, ar a point called Turkey Springs. The troops engaged them in bat-, but were obliged to fall back.
Q. Is the officer here who had charge of that expedition?—A. No,

Q. Can you give an account of the transaction?—A. Not under oath, I was not present.
Q. You have no knowledge, then, as to what happened after the troops t here in pursuit of the Indians?—A. Only from the reports.
Q. Are those reports here, or embodied in any official document?—The report made to me was so unsatisfactory that I did not deem it rth preserving. The officer in charge of the troops was afterward art martialed for inefficiency.
Q. What further or other knowledge have you?—A. I know that the ops from here were joined by others from Fort Elliot, Camp Supply, d Fort Dodge.
Q. About how many troops were there in all?—A. There were two npanies from here of about forty each; then there were two com-nies from Fort Elliot, and one from Camp Supply, making a total ce of about two hundred.
Q. And they continued the pursuit of those Indians how long?—A. til after they crossed the Union Pacific Railroad, on the South Platte ver; that was some time in October.
Q. And then returned here, bringing Little Chief and his band, who re on their way here when the outbreak took place?—A. Yes, sir.
Q. To what causes do you attribute the discontent which prevailed ong the Northern Cheyennes who were brought down here the fall evious?—A. The Indians stated, as their reason for being dissatisfied, at they found the country very sickly, at least for them; and I know at a great many of them were sick. Then they complained of the anner of the issue of rations, and of the insufficiency of rations. They ways manifested a strong preference for their northern home, from ich they had been removed. I suppose those causes, combined, are at led to this rash act.
Q. Was this discontent general among the Northern Cheyennes?—It extended, I should estimate, to about one-third of their number.
Q. Were the other two-thirds apparently contented?—A. Yes, sir; parently up to the present time.
Q. Did the discontent embrace also the Standing Elk and Living ar party? Before the outbreak were not some of them discontended, well as those who went?—A. I have no knowledge as to that.
Q. So far as you know, the outbreak embraced only those who went ay?—A. I mean to say, the feeling of discontent was so strong ong one-third of the Northern Cheyennes as to induce them to that h act; the discontent among the rest was not strong enough to in-ce them to go; all the Indians—Northern Cheyennes, Southern Chey-nes, and Arapahoes—made loud complaints in regard to rations.
Q. I did not inquire whether the discontent among them all was suffi-nt to induce a general outbreak, but whether they were not generally contented?—A. They were generally discontented, for the causes I re before stated.
Q. Did the discontent pervade the whole Northern Cheyenne people, was it confined to about one-third?—A. That is a question I cannot swer from their acts. I think that a degree of discontent was general. what extent I cannot say. I *judge* from the complaints that were

made that there was general discontent. But only among about one-third of them was the discontent so great that they were willing to hazard the chances of war.

Q. Was there anything in the manner of their being brought here that contributed to that discontent?—A. Nothing of which I have any knowledge.

Q. Do you think that the fact of their having been brought from a colder climate to such a climate as this would naturally tend to make them discontented?—A. That might have had something to do with it, but I do not think it was, by any means, the main thing. They had long been separated from the Southern Cheyennes, and had lived with the Sioux. They were really, except in name and language, more Sioux than Cheyennes. The country they came from suits their tastes and mode of living better than this. They always expressed themselves as loving that country better than this.

Q. Have there been other instances than this of the transfer of tribes from a northern region to a southern one?—A. I think not, sir; not including any number of Indians.

Q. Was this the first considerable experiment of that kind, so far as you know?—A. Yes, sir.

Q. In your opinion, would not their removal from a northern to a southern climate render them more liable to sickness?—A. The principal sickness among them was of the class of diseases known as intermittent fever, or chills and fever. That was caused, at least partially, by the malarious atmosphere.

Q. So far as you know anything of their removal here, was anything said or done that tended to deceive them, either as to the character of the home they were to be taken to or as to the question whether they were to be permanently located here? Is there anything within your knowledge, growing out of these circumstances, that contributed to their discontent?—A. I can only tell you what General Mackenzie told me. I have the information, indirectly, that after General Crook's campaign of 1876 these Indians were allowed to elect between remaining somewhere on the Missouri River and coming down to the Indian Territory. As it was very delicately stated, this country was "recommended" to them; but they were not advised, lest they might blame General Mackenzie for bringing them. The Indians seemed to regard their removal and stay here as not permanent. In their talk, they repeatedly spoke of a wish to go back.

Q. Do you think they came here with the impression that it was to be with them an experiment?—A. I could not say. The Indians themselves could answer that question better than I.

Q. So far as you communicated with them, did you gain the impression that *they* labored under that idea?—A. They came, I think, under the recommendation that it would be a good place for them; but no one cared to assume the responsibility of settling it. A part of the Arapahoes elected to go with the Crows, and the Cheyennes finally decided to *try* the Indian Territory.

Q. Were these Northern Cheyennes, when they were brought here, in as advanced a state of civilization as the Southern Cheyennes and Arapahoes who were already here?—A. No, sir. They were mere savages from the plains who had been at war until a short time before.

Q. How long have the Southern Cheyennes and Arapahoes been down here?—A. They have been on this reservation seven or eight years.

Q. Had there been any advance in teaching the Southern Cheyennes *and* Arapahoes already here the arts of civilized life?—A. Very little.

Q. Has there been from the time you came here until this time any considerable advance in teaching them how to work and support themselves?—A. There has been none, sir; or almost none. There is but one house on the reservation, and that has been built during the past winter.

Q. Do you think progress is possible in teaching the Indians on this reservation any mode of contributing to their own support?—A. I have thought there might be in the course of time.

Q. If there has been no progress as yet, what change in the treatment of these Indians would you suggest to the end that progress might be accomplished?—A. If farming is proposed, they would need a number of persons expert in that branch of industry to teach them. Up to this time, there has been but one man, called an agency farmer, to do this; and his time is so fully occupied at the agency farm, and about so many other affairs, that he can do little more than select a place for the Indians to cultivate.

Q. What would you suggest in the line of improvement in the treatment of these Indians, looking toward their contributing to their own support?—A. If they were to remain in the Territory and be confined to the Territory, I think they would do better to adopt stock-raising than any other pursuit.

Q. Please give the committee your views upon that point, upon the possibility of making any considerable proportion of the Indians stock-raisers to an extent that would render themselves self-supporting?—A. I think, from the mode of living to which these Indians have always been accustomed, caring for ponies, and to some extent herding stock, they would take more naturally to the care of stock than to any other employment. Their efforts at farming, so far, have not extended beyond the cultivation of a very small patch of corn, not sufficient to sustain a family more than thirty days.

Q. Do you think it possible, on a limited scale, to induce these Indians to acquire a separate interest in a herd and to care for it so that it will increase on their hands?—A. I think you will have to discriminate between individual Indians. Probably the agent might know of some who would take good care of stock. By giving stock to certain Indians known to the agent as being provident and painstaking their success might induce other Indians to follow their example. If given to such as would pledge themselves to take care of it, and in numbers sufficient to make it an object, I think it might be made a success. But there is a wide difference in Indians. Too frequently we treat the Indians, or discuss concerning Indians, as if all Indians were alike; but there is a wide difference between them. The Arapahoes here are the most settled, the most advanced in civilization; the Southern Cheyennes next, and the Northern Cheyennes are almost without any feeling of that kind.

Q. What effect upon the remainder would the success of a selected number of Arapahoes have if set at cattle-raising?—A. I think it would have a very good effect. I would include, however, and class together the Arapahoes and Southern Cheyennes. Among them both are quite a large number who would take good care of cattle, and the success of one would stimulate the ambition of another until the experiment might be extended in time to the Northern Cheyennes.

By the CHAIRMAN:

Q. In making this selection, do you think it would be wise or unwise to make the selection and cultivation of a piece of land one of the conditions of receiving a supply of cattle? How would it do to give the

stock to such as had selected and actually gone into the cultivation of a piece of land, whether three acres or thirty?—A. I think when an Indian shows a disposition to help himself the government should step in and help him, at least in preference to helping those who show no such disposition. The Indians say that the government has promised them houses; they say they want houses, and would gladly live in houses, but the government neither builds houses for them nor shows them how to build.

By Mr. DAWES:

Q. Do you think it the best policy for the government to wait until an Indian *solicits* work, and farming implements, and stock, &c., before offering them to him?—A. I think it would be well for the government to *suggest* these things, and furnish them to those who will make the best use of them. If a few succeed, then others will follow their example.

Q. The question is, could any headway be made in awakening and propogating in the breasts of these Indians a desire to live in a civilized way, or must the government wait until the Indian spontaneously breaks out in that desire of his own notion?—A. I think the work might be commenced at any time, with good hope of success. Some of these Indians are already doing well in this respect.

Q. If some employment had been found for these Northern Cheyennes when they first came here, to engross their attention and thoughts, do you think it would have been possible to have done away with any portion of their discontent?—A. I think it might possibly have lessened it.

Q. Were not their leaders, like Living Bear, Standing Elk, and such men, capable of being enlisted in some sort of enterprise or undertaking that would have occupied their energies and thoughts, and made them more contented; and would not they have drawn after them the rest, and the trouble that followed have been thus avoided?—A. There was no possible means within the ability of the agent and myself——

Q. I do not mean that; but *if there had been* means provided, would not the furnishing of employment, to occupy their thoughts and energies, or their enlistment in some useful enterprise, have tended to make them feel less discontented here?—A. I have some doubts as to their taking hold of anything of the sort so soon; perhaps they might have been gradually brought to it. To bring about any change in the condition of these Indians requires considerable time, as well as a great amount of patience. They must have proper teaching and good example, and must be encouraged to do these things. I think there has been some effort made to get the Indians to select some place to locate. There has been one located; Curley, one of the Arapahoes, has a house, built partly by his own labor, with some assistance from the agent. That is the only house there is here owned by an Indian. Little Raven, another Arapahoe, has pleaded often for a house; he has been to see me about it several times.

Q. If the treaty stipulations with him had been fulfilled, as to building him a house, what would have been the effect upon his people?—A. I suppose that the government's showing a deeper interest in his welfare would have tended to satisfy and localize him and them.

Q. Could you suggest any treatment of these Northern Cheyennes when they first came here, which, if the means had been at the command of the agent, would have served to diminish their discontent, without reference to the limitations on the agent?—A. I think the agent used his best efforts to make them contented, with the means at his command.

Q. I said, *if* the means *had been* at his command?—A. Well, they had a great deal of sickness, and only one doctor to five thousand Indians, and no medicine; and, taking Indians as they are constituted, the rations were insufficient, in my opinion. As the Indians said, they went away to save their lives, for if they staid here they feared they should all die.

Q. Is it your opinion that if the agent had had sufficient supplies of food at his command, and medicine and medical service, he could have contributed largely to the removal of this discontent?—A. He might have made them more comfortable, but I cannot say that he could have prevented their going away. Their discontent with the country, and with their life here, was very deep-seated and settled.

Q. Do you think that discontent can be overcome?—A. It is impossible for me to say.

Q. It is not impossible for you to say what you think about it?—A. I hope it may; but these Indians are very peculiar. They have their traditions, their fondness for localities and associations.

Q. Have you had any experience in dealing with the northern Indians, or has your experience been confined to Indians in the southern country?—A. I was stationed twenty years at Fort Laramie, and there saw more or less of the Sioux Indians.

Q. Do you think this dislike the northern Indians have to coming down here is any greater than their dislike to changing from one locality to another in the north?—A. O, yes, sir; very much greater. The life of an Indian—his mode of life—is very simple. It consists in war, the pursuit of game, and fondness for ponies; but their impulses, their feelings in any direction are very strong, and not readily changed. They have especially strong attachments for localities and for such things as give them pleasure. It is difficult to see how these can be overcome or influenced in the direction of civilization.

Q. Have they any of those attachments which among civilized nations are called home or domestic attachments?—A. They have strong attachments for their children and for localities where their fathers have died and been buried.

Q. Do you think those attachments are as strong among Indians as in civilized life?—A. I have no reason to think otherwise, sir—yes, sir, I think they are.

By the CHAIRMAN:

Q. Then, as to any hope of change in the feeling of discontent among the Northern Cheyennes on account of change of locality, that hope, you think, must depend upon the younger generation and not on the older?—A. O, yes, sir; I think that, for any change for the better for local attachment or for improved civilization, we must look entirely to the children; the other Indians are past the age when their mode of life or feeling can be much influenced by circumstances.

Q. The older Indians will probably remain discontented, but as the younger ones grow up in this locality they may form attachments for this locality?—A. That is what I mean, sir.

Q. So, in all things, the older ones will abide by what they learned and formed attachments for when they were children; but the children will grow up loving *this* country?—A. Yes, sir; not having seen that country, they will not have the same memories of it and attachment to it of their elders.

Q. If the government should attempt to convert these people into cattle-raisers, do you think it would be wise to demand, as one quali-

cation of the recipient, that he had settled upon and was cultivating a piece of ground?—A. I think it would be a good idea. I think that if the family or parties taking the cattle should be given say ten or twenty, it would be better than to give them only two or three. Even if no more cattle were given in the aggregate, it would be better to have them divided among fewer families and let each family have more stock. When ten cattle have increased to twenty it seems a great deal more of an increase than when two or three cattle increase to four or six; and would be more encouraging to the Indians.

Q. In case of such deliveries or donations of cattle to the Indians, if it were made a condition that for two, three, or four years they should not slaughter any portion of them, would they abide by that agreement?—A. I think you could make selections of Indians who would abide by such conditions; and I think they would generally, after a little time.

Q. That is, if they had agreed to do so?—A. Yes, sir.

Q. They pride themselves somewhat upon doing what they have agreed to do, do they not?—A. Yes, sir. When friendly they are very reliable. Once we had a horse lost, with the saddle; the Indians found them and brought the horse and saddle and canteen into camp and delivered it up, when they might just as well have thrown the saddle into the brush and kept the horse.

By Mr. MORGAN:

Q. You spoke some time ago about the "agency farm;" what is that?—A. It is a piece of land near the school-house cultivated by the larger boys of the school; the proceeds go to their benefit.

Q. With what success?—A. Very fair. A year ago the government purchased forty thousand pounds of corn from them. The boys of the school own a herd of cattle procured in that and other ways.

Q. Do you think the presence of this Little Chief band here is a cause of disturbance and danger?—A. I do think they are, to some extent. They have kept pretty much to themselves so far; they do not seem to like the other people here nor the place. I think he has tried to draw as many as possible to his way of thinking.

Q. Do you know of any military reason which would render it improper to return that band of Indians to their homes in the north, under proper precautions?—A. Little Chief's band is a source of constant anxiety to the military authorities, as they are liable on any change of feeling that may occur to break away and go north, to stir up dissatisfaction among the other Indians, and involve them in trouble to an extent that cannot be foreseen nor provided against.

Q. If that band of Indians were out of the way, there would be less trouble in managing the others, would there not?—A. I think there would be hardly any difficulty in getting along with the rest.

Q. Their presence here is the chief cause of your anxiety?—A. Yes, in reference to matters connected with Indian affairs.

Q. Do the Indians here keep up their old habits and customs in regard to their annual customs, &c.?—A. Yes, sir; entirely so; they continue their primitive mode of life as far as possible. The only thing they cannot indulge in here is the chase.

Q. Do you regard the supply of game that this country may hereafter furnish as any real advantage in the support of the Indians?—A. There is so little that it is hardly worth the hunting.

Q. The government, then, must expect hereafter to supply them with rations, and whatever deficiency remains the Indians must make up by farming or stock-raising?—A. Yes, sir.

Q. Have the Indians in general, the five thousand at this agency, shown any disposition to engage in any remunerative employment?—A. A few of them have. A few have ground broken up and planted to corn; a few have been cutting wood. I do not know that any outside of the school boys have assisted in putting up hay. A few, five or six, mostly women, worked for a while in a brick-yard. There is a general distaste among the *men* for anything like manual labor; this is the case with Little Chief especially, and his people.

Mr. MORGAN. I desire to have inserted in the report the letter of Mr. Miles, printed on page 36 of Miscellaneous Document No. 64, Forty-fifth Congress, third session (see appendix, Exhibit "H"); also the communication from Commissioner Hayt, on page 39, of the same document. (See appendix, Exhibit "J.")

Q. Have you examined the letter of John D. Miles to Commissioner Hayt, dated November 1, 1878?—A. I saw it for the first time yesterday.

Q. You have examined it?—A. Yes, sir.

Q. Are there any statements of fact that you desire to make in connection with that letter?—A. I think Mr. Miles creates a false impression affecting the facts in the case in regard to withholding rations from persons who perform no labor. He says: "Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor." As I understand his letter, he makes it appear that the shortage was due to the fact that they were withheld, under act of Congress, by instruction of the Indian Office, as a means of bringing the Indians to labor; when the real state of the facts was, there was *an insufficiency of rations*, and no labor to give these Indians; there was nothing for them to do if they had wanted to work.

Earlier in the letter I notice a contradiction of a statement made by an interpreter in regard to the Indians eating dead horses. The fact is, Indians eat that sort of meat whenever and wherever they find it. They are not at all particular about an animal's having been dead three or four days, or about its having died from natural causes.

One other point: Mr. Miles speaks of a letter of mine addressed to him in answer of one of his to me, in which he asked whether the Indians had been disarmed previous to their arrival here. I answered him that "I *understood* that these Indians had been disarmed previous to their leaving Red Cloud Agency," but that "I had no official information to that effect." It is this paragraph in Mr. Miles's letter that induces the Commissioner to say, in his communication to the Secretary of the Interior, "it is plainly the duty of the military authorities to disarm" the Indians. Both Mr. Miles and the Commissioner seem to reflect upon me, because it turned out afterward that the Indians had arms. Now, I have some correspondence here, which I wish to have put in evidence. I claim to be the first officer or civilian who insisted on the Indians being disarmed and dismounted before being turned over to be settled on a reservation. On the 31st of May, 1876, I informed the department of the arrival of ninety-seven Indians of all ages, who had reached the agency on the 27th and 28th of May. In my letter I urged that the Indians be disarmed and dismounted before being turned over to the agent. I did the same again in another letter, dated the 8th of June, 1876. The result was that Mr. Chandler, then Secretary of the Interior, approved of my suggestion and ordered it to be carried into effect. And I claim to be the first one to urge this policy upon the government, and to have secured its adoption as a part of

governmental policy in connection with Indian affairs. And to day the Commissioner tells me I should have disarmed those Indians. At that time it was not my business to disarm them. Afterward I did disarm them. When they first came here I did not have control of them. When I came to have control of them and received orders to disarm them, I did so as completely as I could; as effectually as possible.

By Mr. DAWES:

Q. Those Northern Cheyennes came down here in charge of the military, did they not?—A. They did.

By Mr. MORGAN:

Q. When the Dull Knife band came down here, were you informed by the military officers having charge of them that they had been disarmed?—A. When those Indians arrived here, General Mackenzie himself was present; I had direction over the three posts in the Indian Territory, Sill, Reno, and Elliot. General Mackenzie having been with General Crook when the surrender of these Indians took place, I received them, supposing that of course they had been disarmed; being brought here by the military, I assumed that that had been done before reaching here. Besides I had so learned through the papers and reports.

Mr. DAWES. It was not the duty of Colonel Mizner to step in and assume that his superior officer had not done his duty.

By the CHAIRMAN:

Q. Some of the Indians testified that the arms they took with them when they went north were procured after getting here; that arms were bought from the Pawnees and other Indians.—A. That might be; I presume very likely that is true.

By Mr. MORGAN:

Q. Do the Indians observe their institution of polygamy here?—A. Yes; some of them have two or three wives.

By Mr. PLUMB:

Q. You state here, in this tabulated statement (see Exhibit "F"), that the supply of beef for the fiscal year ending June 30, 1879, was about one million two hundred thousand pounds short. How did you ascertain the fact that only the number of pounds of beef you have here stated reached the agency?—A. It is very easily found from the report.

Q. I do not find it in this report. Is it not a fact that the delivery of beef to the agent is always made under the supervision of an officer detailed by you?—A. It is not.

Q. Have you not detailed an officer, and made it his duty to witness every issue of beef to that agent over there?—A. When the agent requested me to detail an officer for that purpose, I detailed him; he and the agent constituted a board.

Q. Did that officer report to you?—A. He did.

Q. Did he ever report to you a deficiency in the issue?—A. He did not.

Q. Then, so far as you know, there never has been any deficiency of beef?—A. No, sir. Understand me: I have not claimed a deficiency of *issue;* I am talking about the *amount furnished.* I assume this: that the agent cannot issue what he does not receive. I can produce here the contract for the beef for the agency over yonder, for the year ending on the 30th of June last. It states the amount contracted for and authorizes 25 per cent. additional if the Commissioner shall desire.

The amount contracted for was 3,750,000 pounds. If the additional 25 per cent. had been called for, that would have carried the amount up to 4,687,500 pounds. The simplest mathematical calculation, which still remains yonder on that blackboard, shows that 5,004 Indians, eating three pounds of beef per day, which the treaty demands shall be furnished them, will in three hundred and sixty-five days need 5,479,380 pounds. And the contract, *including* the 25 per cent. which the Commissioner is allowed to call for, falls short of that by nearly eight hundred thousand pounds.

Q. Now, I care nothing for all that. What I want to get at is, not the amount of beef received by the *agent*, but by the *Indians*. Did they, or did they not, have the requisite amount of beef?—A. I do not think the Indians have ever gone without their beef rations. They have received, so far as my knowledge extends, their full allowance of beef every day in the year when they have been present at the agency. Do not understand me as swearing that the Indians had all the beef they should have had; I only say, I do not know that they did not. As to Agent Miles and myself, our relations are perfectly friendly; and I suggested the furnishing this information to me that I might make the very use of that I did in my first letter, that of May 30, 1877. In fact, the whole of the information contained in that communication is not mine, but his, given over his own signature.

Q. You say that many of the Indians, the Northern Cheyennes, were sick shortly after coming here; that there was but one doctor for five thousand people, and no medicine; that they said to you, if they remained here they should all die, and that they went away to save their lives. Now, if there had been a proper supply of medicine and medical attendance, so that they would not necesarily have died, would not that have modified the feeling of desperation under which they went away?—A. Undoubtedly it might.

Q. Would not the furnishing of proper supplies and the existence of health tend to make them contented?—A. Yes, sir.

Q. And the absence of them would tend to make them discontented?—A. Certainly; the more so, taking into consideration their strong preference for their native country.

By Mr. MORGAN:

Q. I notice that in some of the reports made to you by some of your officers detailed to oversee the issuing of beef, the character of the beef is represented as being very poor. State whether or not any explanation was given why beef was received in that condition.—A. The officer had nothing to do, officially, with the issue of beef; he is there simply to receive it. On one occasion the officer stated to me, he and the agent acting as a board, would have condemned the beef entirely, because it was so very poor, but for the reason that no other beef could possibly be had. During the winter months the cattle here are, all of them, apt to get a little poor, and those were very poor. To make up for this, Mr. Miles decided to give the beef to a smaller number of Indians. This was done so long as the beef continued so poor. This occurred on only one occasion.

Q. When these Northern Cheyennes escaped and went north, what officers did you send after them, and how far did they pursue them?—A. They went to the South Platte; Captain Rendlebrock was in command; Captain Gunther was the next officer, with Lieutenants Wood, Wilder, and McDonald.

Q. Are any of these officers here now?—A. Yes, sir; Captain Gunther and Lieutenant Wilder.

Q. Where is Captain Rendlebrock?—A. He has been retired, and I suppose has gone to Germany; I last heard of him at Hoboken, N. J., but I understood that he intended going to Germany.

By Mr. DAWES:

Q. Have those officers who are here as much personal knowledge of what occurred as anybody?—A. As to the pursuit of the Indians, yes, sir; they were following them all the way.

Q. Did they see the evidence of the outrages committed?—A. A part of them.

Q. Would they be as likely as anybody to communicate to us such information as they have?—A. I think so.

By Mr. PLUMB:

Q. About what date was this report made about the character of the beef?—A. I do not think I can tell you.

Q. Was it in 1879 or 1878?—A. In 1878; at least as soon as that; I think it was a year ago this past winter.

Q. Was it in the fiscal year 1879?—A. It was a year ago last winter—the winter previous to the Indians going off, if I remember rightly.

Q. Is this report to which you refer?—A. That is one of the papers, but not the one to which I particularly refer; there are others preceding that.

Q. You are sure it was before these Indians went away?—A. Yes, sir; that is my impression.

By the CHAIRMAN:

Q. Have you anything further that you would like to say bearing on this subject?—A. I would like to say that in using the word "deficiency," in reference either to beef or flour, or any other of the articles constituting in part the rations of the Indians, I mean the whole amount necessary to feed them for twelve months, under the provisions of the treaty as to the amount of rations allowed them, and the amount for which provision had been made at the time I made my report.

I might add that, from information furnished me by the agent, I was strongly impressed with the belief that supplies furnished for the current year were insufficient, or before the close of the year would be found insufficient, and that timely representation should be made in order to secure the balance. As I understood the case, provision had been made covering only about eight months of the year, and it was very important that supplies should be obtained at once for the remaining four months, as the Indians could no longer depend upon hunting for any portion of their subsistence. The information was furnished freely and cheerfully by the agent, who understood the object I had in view in making my report; it was done to assist him, and with no expectation on my part that it would ever appear in print, or become a subject of controversy, but simply that it would be communicated to the Interior Department at Washington. This letter that I introduced I have no desire to press upon the committee at all; but it contains a statement of the supplies furnished up to June 30, 1877, and is headed by the agent, "Statement of subsistence received during the fiscal year and the prices paid, not including freight." He received nothing after that that I am aware of; his letter was dated May 25, only thirty-five days before the end of the fiscal year. I suppose that to be all he received during that year. His estimate for the year ending June 30, 1879, contains also a statement of what he had received during the previous year, and the two papers show all that was had or expected to be had at the agency for three years.

I find, by reference to a letter dated April 14, 1878, an extract from one of my letters, as follows:

The complaint in regard to the beef I found was a very just and proper one, and I prevailed upon the agent to increase the amount of the weekly issue until better cattle could be obtained. With this change in the rations, I understand the Indians are satisfied, and they have made no complaints since.

I would also like to have you insert as a part of the evidence in this case, a copy of this letter of mine in regard to the disarmament of the Indians. (See appendix, Exhibit "K.")

I would also request that the letter of John D. Miles to me, dated September 20, 1878, and to be found on page 49 of the report of the General of the Army for the year 1878, be made a part of your record. And I would invite your special attention to the first paragraph of said letter, in which Agent Miles states what constitutes the daily ration promised to the Indians, and adds, "*which promise has only been carried out in part, the supplies received being insufficient.*" (See appendix, Exhibit "G.")

W. E. WILDER.

FORT RENO, IND. TER., *August* 21, 1879.

Lieut. W. E. WILDER sworn and examined.

By the CHAIRMAN:

Question. Were you one of the party who were engaged in the pursuit of the Northern Cheyenne Indians when they left the agency here last year?—Answer. I was.

Q. Please give a detailed account of that pursuit and the circumstances connected therewith.—A. On the 5th of September, 1878, I received word that the Northern Cheyennes, or a portion of them, had left the agency. That report was incorrect, or at least premature, but supposing it to be correct, the more so as there had been for some time before indications that they intended to leave, the cavalry command was immediately ordered out, and we started that night in the direction in which their camp was last known to be. We went only a short distance that night. The next morning w marched on and found them in camp, about ten or twelve miles from Fort Reno. The guide went into their camp, and after going around among them came back and reported that the Indians were all there; none had left. On this we started back to the fort, but within a few hundred yards we turned back and made a temporary encampment, for the purpose of staying there a while, in order to watch the movements of the Indians. The place we went into camp was within three or four miles of the place where the Indians were camping. We watched their movements by the use of scouts and by our own personal observation. We remained in camp till the morning of the 10th of September. On that morning we received the report that the Indians had fled during the preceding night. We at once started after them and kept on their trail, marching from thirty-five to fifty miles a day, till the 13th of September, about ten o'clock in the morning, when we came up with the Indians. We found them ready. They halted and they came back a mile or so to meet us. Our command was halted. This was near Turkey Springs, in the Indian Territory. One of our scouts was sent down to interview the Indians. He came back and reported—I heard him give the report to the com-

manding officer—that they wanted to fight. As soon as that word was returned our troops commenced firing. There was skirmishing kept up all day till nearly dark, not a continual firing, but occasionally a few shots were fired. During the day, before night, the commanding officer decided that the Indians so much outnumbered us that nothing could be accomplished at that time. We were in a position where it was very difficult to get water for either stock or men. Men and animals were suffering very much from thirst. So the commanding officer decided to withdraw and fall back on our trail till we could find water again.

By Mr. MORGAN:

Q. Who was the commanding officer?—A. Captain Rendelbrock, who has since been retired. The command was withdrawn, and we followed the back-trail for about two and a half miles. When we withdrew the Indians came in hot pursuit. We found water and made a proper disposition of our troops for defending it. We lay there during the rest of the day, and then marched into Camp Supply with our wounded.

Q. How many were wounded?—A. Four men were wounded, besides two that were killed. Some of the men were wounded very severely, and needed immediate attention; and we had no medical supplies nor surgeon with us; that rendered it necessary for us to go where they could be obtained.

By Mr. DAWES:

Q. How far was it from there to Camp Supply?—A. According to the best estimate I can make, about fifty miles.

Q. How many men had you, all told?—A. We started from here with about eighty men.

Q. That was your force at Turkey Creek?—A. Yes, sir. But you must understand all these men were not available for fighting purposes; we had a pack-train of horses, which had to be held; so that altogether we had about fifty men that we could put into line for fighting. A small command of that kind is very much reduced in number by the men necessary to hold the horses. We arrived at Camp Supply on the 16th of September.

The next morning a portion of our command, about forty men, commanded by Lieutenant Wood, and accompanied by Mr. McDonald and myself, went out on the Camp Supply and Fort Dodge road, to communicate with and support Captain Hemphill, to intercept the Indians as they crossed that road. We went as far as the Cimarron, about thirty-eight miles from Camp Supply; we there learned that the Indians had recently been seen in that country, and from all that we could hear the probability was that they would be found east and north from that point. It was after dark when we arrived at the Cimarron. The next morning we started out and marched about seventeen miles east and north, but found nothing of the Indians, so we marched back to the station which we had left at the Cimarron. There we were joined, that night, by the remainder of our command, commanded by Captain Rendlebrock; Captain Gunther was along with him before they had joined us. Captain Rendlebrock then took command of the entire force.

From what we heard, we concluded that the best thing for us to do was to make a forced march to Fort Dodge, about fifty miles, and then take the railroad up the Arkansas River, and join Captain Hemphill, who had his company there, and try and intercept them if they crossed. We marched on until about an hour or an hour and a half after sundown, when we were, I don't know exactly how far from Fort Dodge, but it must have been a considerable distance, when we met a courier

from Fort Dodge, who directed us to march eastward and join Captain Hemphill, who was marching from the point where he had been taken by the railroad to the vicinity of Sand Creek, where the Indians were reported to be. As it was now after dark we went into camp, and remained till the next morning.

The next morning, about sunrise, we started eastward, and marched in that direction until we struck the trail of Captain Morse; Captain Hemphill had been joined by a company of infantry under Captain Morse, and Captain Morse had become commanding officer of the two companies. We followed the trail until we overtook this other command; then, as soon as we found water, we went into camp; this was about half past four o'clock in the afternoon.

Just as we got our horses unsaddled, we heard firing, which seemed to be about a mile and a half or two miles from camp; the presumption was that it was caused by several cow-boys; for before this time about thirty cow-boys, from the southern part of Kansas, had joined us. We supposed these cow-boys had met the Indians, or a portion of them, and become engaged. Command was immediately given to saddle up; and as soon as we were mounted, Mr. Wood, who had command of Company G—Captain Rendlebrock being in command of the expedition—mounted his men, and we started out to gallop in the direction of the firing. We were the first company. On going out we saw that probably the whole force of the Indians were engaged with the cow-boys, and rapidly driving them back toward our camp. We drove the Indians back to the ravine until sundown, when we were withdrawn. The other companies—we then numbered four—the three remaining companies, except Captain Hemphill, remained in camp. Captain Hemphill about half an hour before sundown, was sent out in our rear, to prevent the Indians from following us up as we withdrew. We remained in camp there until the next morning, when we took a circuit of about eight miles, and again struck the Indians. The engagement that followed lasted from ten o'clock until nearly sundown; but nothing in particular was accomplished. I took fourteen men, went around their position, examined it, went back and made a report regarding it.

That night the Indians went on. The next day we remained in camp until about noon and then went back to our old encampment, where we expected supplies of ammunition and rations. That evening the ammunition and rations arrived. The next morning we took the Indians' trail. We reached the Arkansas the second day's march. The point where we struck the Arkansas River was about five miles from the station called Cimarron, on the Atchison, Topeka and Santa Fé Railroad. We arrived about eleven o'clock and remained in camp until the next morning. That night we were joined by two companies of the Fourth Cavalry and one company of the Nineteenth Infantry. The company of the Sixteenth Infantry which had been with us was sent back to its post the next morning.

We now had five companies of cavalry and one company of infantry, the command falling to Lieutenant-Colonel Lewis. We followed the Indian trail for two days, I think, possibly three. On the afternoon of the second day—I think it was—about four o'clock, while we were waiting in a cañon for our baggage-wagon to come up, we were suddenly attacked by the Indians, who appeared on the bluff in force. Immediately upon the fire of the Indians, which, of course, was a complete surprise, the command by common consent rushed to the bluffs. On reaching the bluffs a skirmish line was soon formed and the Indians were soon driven back rapidly. We then found that the Indians had prepared a fortifi-

cation, rifle-pits, and such means of defense as the natural features of the country afforded. The country there was exceedingly rough and very stony. For twelve or twenty-four hours they had been waiting and watching for us at that particular point. In this engagement Colonel Lewis was killed. Several men, I do not know how many, were wounded. We captured about eighty head of Indian stock, and generally demoralized the Indians. But that night they escaped.

By Mr. MORGAN:

Q. Did you capture any Indians?—A. No, sir. One Indian was killed; two or three others were reported killed, but the Indians have a way of carrying off their dead, so that you cannot tell. One dead Indian was left on the ground. We captured a great deal of their food—dried meat; also many of their pack-saddles.

Q. What kind of dried meat was it—dried beef?—A. I could not say; probably it was; there were a hundred chances to one that it was dried beef, because the country they had been going through had a great many cattle in it, and the Indians had been stealing stock of every kind. All of them together, of different parties, must have stolen as many as a hundred and fifty head of horses; and they had a great many sheep in the camp that we struck on Sand Creek. They did a great deal of other damage. We found the body of one cow-boy that the Indians had killed. Nobody knew him, but we buried him. This fight that I have been describing took place on Famished Woman's Fork, Kansas. The next morning we started on trail of the Indians, and reached the Kansas Pacific Railroad on the second day's march from the fight, about eleven o'clock. From there we sent a telegram for rations and ammunition, which were sent out and received that day. The next morning we again started on the trail of the Indians, and followed them up until we were beyond the North Platte River. We followed their trail, making long marches of thirty to sixty miles per day.

We next saw the Indians while we were yet some seven miles away from them, on a bluff which overlooked a very extensive bottom. We could see them two hours before dark; but as soon as it became so dark we could not see their trail we had to go into camp. We made a dry camp. The next morning, as soon as it was light enough to see the trail, we started on, and marched to the South Platte River, at Ogalalla, a railroad station on the Union Pacific railroad. There we learned that Major Thornburgh had started in pursuit of the Indians on the afternoon of the day before we arrived, and was some distance in advance of us. Some telegraphic dispatches were received from the Department of the Platte headquarters, and also from the headquarters of the Division of the Missouri. After following the trail for about two days more it was decided to withdraw, and we went into Fort Sidney, Nebraska. That is all we followed the Indians. When we came back we brought these other Northern Cheyennes.

By Mr. DAWES:

Q. Did you find these other Indians there when you got there?—A. Yes, sir; they had been waiting there some time for want of an escort.

Q. How many men did you lose, all told?—A. Altogether we lost only two enlisted men, killed; another man was lost to the service by being so badly wounded that he afterward received his discharge; and Colonel Lewis was killed; at least he received wounds from which he afterward died.

Q. Did you lose any of your outfit?—A. We lost some saddles and some guns. The principal losses occurred on the morning of the 14th

of September, when we withdrew from the place, where there was no water; the command was very much demoralized; the most of the soldiers felt that they had been whipped; very little effort was made by the commanding officers to restrain them; and there were only about twenty-five men who would keep in any kind of order. In that retreat several packs were lost—among the rest the pack containing all my things—my blankets, overcoats, &c., and what little we had to eat. On that occasion Lieutenant Wood, McDonald, and myself had for our duty to keep the Indians off from the rest of the command.

Q. Did you see, anywhere on your way, any evidences of outrages perpetrated by the Indians?—A. Yes, sir; in one place, in Kansas, I saw the bodies of three men about a hundred yards from the house which they had evidently occupied; the men were lying on the ground with their brains knocked out; two had been struck in the back of the head and one in the forehead; thay had apparently been running from the house when they received these blows from the Indians. The house, inside, was all torn to pieces; the feather beds were strewn all over the yard; the dogs, cats, geese, ducks, every living thing belonging there had been killed, and was lying there dead. Five or six hundred yards further I found four children, the oldest twelve years old, the youngest a mere babe, the children of Bohemian settlers—the men who had been killed. These children were in a very destitute condition. That was all I saw; but I heard of a great deal more.

Q. What did you do with those children?—A. I turned them over to the other settlers in the vicinity to be taken care of.

Q. Did you see anything of any females around there?—A. The oldest one was a girl; I did not see any women myself; I know, by rumor, that there were some there; one was crazy, I was told; I understood that she had been ravished by the Indians and gone crazy on account of it.

Q. Have you stated all the evidence you saw yourself of outrages committed by the Indians?—A. Yes, sir; I believe so; the rest is but hearsay.

Q. From what source did you get your hearsay information?—A. Directly from scouts who saw the outrages.

Q. Who were those scouts—Indians or white men?—A. White men; one of them is here at the post now—Mr. Donald.

Q. Are they scouts whose word can be relied upon?—A. O, yes, sir; Mr. Donald can be fully relied upon; and his statement is confirmed by that of others who were with him.

Q. State what you learned from these scouts.—A. I learned of this woman being outraged, and going crazy on account of it. Then I heard that in one place the bodies of six men were found, evidently killed by the Indians. Altogether, according to the reports received from the scouts, there must have been fifteen or twenty people killed in that country along the trail of the Indians.

Q. Mostly men?—A. Yes, sir; there were no women or children killed that I ever heard of.

Q. Did you hear of any other outrages on females?—A. No, sir; I heard of only that one instance.

Q. Did they destroy much property?—A. Yes, sir; every place they went they destroyed all the property they could lay their hands on, and stole all the stock they could find.

Q. What was the extent of their taking off stock? Did you learn?—A. We followed their trail, and from what we could hear from the settlers through the country where we went, we reckoned up at the

time the Indians must have taken between two hundred and two hundred and fifty horses, besides cattle, which they killed as they came across them. Of course there may have been, and indeed there probably were, more horses stolen that we did not hear of, as we marched through the country rapidly.

Q. How much time was occupied in the pursuit from the time you started out until the time you determined to withdraw and go into Fort Sidney?—A. Just about one month.

Q. What kind of weather was it when you went into Fort Sidney?—A. It was tolerably pleasant, with the exception of high winds; a regular "norther," in fact; it was not so cold but that it would have been comfortable but for the wind.

Q. How many Indians were killed in all? Do you know?—A. The only dead Indian I saw was one; but I was of the belief that some others were killed. One Indian we picked up on the trail the morning of the day that we left Ogalalla. He was turned over by the military to the civil authorities, and was shot by one of the citizens. He was old, and could not go any farther, and the Indians dropped him.

Q. Who was it that shot him?—A. I did not see anybody shoot him; but just as we were leaving we heard a shot, and were told afterward that this Indian had been shot. It was reported that the citizens shot him. I heard afterward that it was reported that the troops shot him.

Q. Was there great public indignation against the Indians there?—A. Yes, the public indignation there was very great indeed.

Q. Was there a crowd gathered around?—A. I could not see any great crowd gathered around.

Q. How did you judge—from what did you conclude—that there was great public indignation there?—A. It was merely from the expression of individuals that I formed my judgment.

By Mr. MORGAN:

Q. There was a dispute, as I understand it, as to whether that Indian was killed by the citizens or the soldiers?—A. Yes, sir.

Q. Do you know whether, when the Indians stole those horses, they abandoned their own ponies?—A. No, sir; they only abandoned their own ponies when they became useless. In one day an officer of our command counted sixty ponies that had been abandoned, being perfectly jaded, so that they could not go any farther.

Q. Do you know under what chiefs these men went out?—A. Dull Knife was the principal man; then there was Old Crow, and Little Wolf, and Hog.

Q. Did the Indians take their women and children along with them?—A. Yes, sir; the whole band, just as they were here. There were probably more women and children than there were warriors. But the women are no incumbrance; they are an assistance, rather.

Q. Do not the Indian women fight sometimes, too?—A. They might, sometimes, in close quarters; but as a general thing, I believe they never carry a gun, or anything of that kind.

By Mr. PLUMB:

Q. What evidences did you see of their having attacked and plundered cattle camps between here and Fort Dodge?—A. I did not see any evidences of it except the tracks of cattle along the Indian trail.

Q. Did you see any cattle in their camps?—A. No, sir.

Q. Did you learn through scouts or otherwise that they had attacked cattle camps?—A. No, sir; but they stole stock when there was nobody about.

Q. Do you know of their killing anybody in the cattle camps?—A. No, sir.

Q. Had you reason to suspect that they got arms from the cattle men along the route?—A. No, sir; the cattle men all the way along seem to be well armed and prepared; it was merely the settlers that they found unprepared.

Q. Might there not have been some settlers killed and other outrages committed by flanking parties which would be off your line of travel in pursuing the main body of Indians, and so be beyond your reach and observation?—A. Doubtless there were, for the Indians scattered in small parties all through the country; the settlers scattered, too, toward the settlements for safety. Of course we passed rapidly through the country and could not follow up all the small parties of Indians.

Q. Did the Indians ever attack your command?—A. Yes, sir.

Q. When and where?—A. At Famished Woman's Fork, in Kansas.

Q. Was your command then pursuing the Indians?—A. No, sir. Our command were dismounted and holding their horses, waiting for the wagon train to come up. It was a very rough country; we were at the time on a ravine, when we were suddenly and unexpectedly attacked by the Indians from the bluffs. We soon drove them back and captured their stock.

Q. You speak of some of the necessary details reducing your force to about fifty men; by that you mean details to hold the horses?—A. Yes, sir.

Q. You mean the force would be that much reduced if the fighting were done on foot?—A. Yes, sir; and fighting is almost invariably done on foot.

Q. How were the Indians provided with arms and ammunition, as compared with your command?—A. They were well supplied with ammunition and had a great many guns—better ones than ours.

Q. Did you have breech-loading guns?—A. We had Springfield carbines.

Q. What did they have?—A. They had Springfield carbines and Sharps carbines. One gun, particularly; came to the notice of my command which they pronounced to be a buffalo hunting gun or a buffalo rifle; it carried a very large ball, as indicated by the sound, and had a very long range.

Q. What proportion of them were armed with Springfield rifles, so far as you could determine?—A. From having seen Springfield carbines in their possession they must have had them, or some of them, before they left. Then I saw ammunition taken from the rifle-pits of the Indians after they had vacated them, and these were the regular government shells, Springfield carbines, caliber .45.

Q. What proportion of them were armed with these Springfield carbines?—A. I could not say.

Q. Could you not say whether there were one-half, or one-fourth, or three-fourths?—A. I could not judge of that at all.

Q. Did they have other guns besides these?—A. Well, they were well armed; I could not state exactly how; speaking merely from my best judgment, from the amount of firing done when they were fighting, I should say there must have been at least eighty armed men; that would be the lowest figure I could possibly estimate them at.

Q. What was the greatest number of fighting men that could be brought into line that were ever opposed to them during that pursuit?—A. Between a hundred and eighty and two hundred.

Q. What was the smallest number that you ever opposed to them?—A. About eighty.

Q. When your strength was greatest you had between a hundred and eighty and two hundred men that you could put into the field in actual fight?—A. O, no, sir; I mean that was the whole strength of our command.

Q. What was the greatest number of men that you had available for actual fighting purposes?—A. About a hundred and fifty.

Q. What was the smallest force available for fighting purposes that you had at any time?—A. About twenty-five.

Q. At what place did you have the largest number of men? In what fight?—A. At Famished Woman's Fork, when attacked by the Indians there.

Q. How did your force usually compare with theirs; did you usually have more or less fighting men than they?—A. We had more after the time of the first two fights—the first one I spoke of when we fought all day without water, and the next day when we retreated; just after this, at one time, we could not get together more than twenty-five fighting men on account of the demoralization after the retreat.

Q. What was the comparison between your force and that of the Indians as to mount?—A. Well, it was altogether too small up to the time when we joined.

Q. I do not mean as to the number of horses, but as to quality?—A. O, it was very much better than theirs.

Q. You could travel farther in a day than they could?—A. Yes, sir.

Q. And keep it up for a longer time?—A. Yes, sir.

Q. Then, there was nothing to prevent your constantly hanging on their rear and flank?—A. They had this advantage: they were all the time stealing stock and getting a new mount.

Q. You didn't really have any trouble in encountering them whenever you desired to?—A. No, sir.

Q. If the pursuit had been kept up actively, and no time lost, could not they have been encountered nearly every day?—A. No, sir; not according to my judgment, except at the times when they were encountered.

Q. You speak of the demoralization of the men at one time during the pursuit; answer me this—is there any particular fear or dread on the part of white soldiers of encountering the Indians in fight?—A. No, sir; I think not; they started out from here with all the confidence in the world. That seemed to be the general feeling of the men—at least of all the men whom I heard express themselves on the subject. I form my judgment from what I heard others say.

Q. Did that feeling change at any time on their march?—A. Our first fight, that put a considerable damper on them; but the next time we struck them, the feeling that they had been worsted once before made them all the more anxious to fight them.

Q. Where was that?—A. At Sand Creek and Famished Woman's Fork, both.

Q. Was the result of those two fights favorable to your command?—A. There was nothing gained in the Sand Creek fight—and nothing lost, except time and ammunition.

Q. Were the men prodigal of their ammunition?—A. I did not mean to put it in that light. They wasted their ammunition simply in the sense that they used it up and accomplished nothing.

Q. Would it not have been possible to engage the Indians at close quarters?—A. It would have been *possible*.

Q. I mean *successfully*?—A. I think it would, if the proper arms had been given us; that was my judgment at Sand Creek. The engagement at Famished Woman's Fork I considered a successful one for us.

Q. That was where Colonel Lewis was killed, was it not?—A. Yes, sir.

Q. Was he in the advance when he was killed?—A. Yes, sir.

Q. Was he laboring under some little impatience in regard to the previous conduct of the campaign, which led him to expose himself?—A. I think so.

Q. He took an advanced position, and unnecessarily exposed himself?—A. I think it was unnecessarily; but I think he thought the men were more demoralized than they really were at that time, and that his personal example was required to bring up the morale of the command.

Q. At one time you say only twenty-five men could be gathered for fighting purposes; was not that evidence of considerable demoralization?—A. Yes, sir.

Q. What did that demoralization result from?—A. In the first place, from a want of water; the men had had no water for thirty-six hours. Next, from not being properly commanded by the officer in command of the companies.

Q. Had the Indians been without water for the same length of time?—A. Probably not; they were perfectly free to find water. Where they were located was at a spring—Turkey Spring.

Q. And from that you could not dislodge them?—A. No attempt was made to dislodge them; that was merely a defensive fight on our part.

Q. Who fired the first shot?—A. We did; we commenced on the defensive by firing the first shot.

Q. Are the white soldiers usually eager to go out as scouts, &c., involving the possibility of meeting the enemy?—A. Yes, sir.

Q. Lack of exercise, lying about the post, does not induce habits that hinder them from entering zealously upon such work?—A. O, no, sir; they are all the more eager to go out.

Q. They are generally good horsemen?—A. Yes, sir.

Q. And understand well the use of arms?—A. Yes, sir.

Q. In what way are the soldiers armed?—A. With carbines and pistols.

Q. What kind of pistols?—A. Six-shooting revolvers, Schofield's and Smith & Wesson's.

Q. With metallic cartridges?—A. Yes, sir; caliber .45.

Q. Have your carbines metallic cartridges too?—A. Yes, sir.

Q. There is no waste in their being carried?—A. No, sir.

Q. Are your soldiers as expert on horseback as Indians?—A. No, sir; there is no comparison.

Q. But the "impedimenta" of Indians is greater, is it not?—A. I do not know that it is.

Q. On this occasion they had their wives?—A. O, that was no impediment at all, but an assistance.

Q. Did they carry camp equipage?—A. No, sir; their home is on the prairie. They are as much at home on the prairie as we are when we are at the post. Prairie life is their natural life, and their women do all the work, and that leaves the entire force of men to do the fighting. Then their ponies are well trained, so that an Indian can shoot on horseback as well as on foot, and thus, in every respect almost, the Indians have the advantage of our troops.

Q. From your observation, do you hold the opinion that soldiers should outnumber Indians in order to be successful in fighting against them?—

A. Yes, sir; they should *greatly* outnumber Indians when sent after them to bring them back to an agency.

Q. I mean for the purpose of fighting them?—A. Well, there is not much gained by fighting them, for when they are whipped they will go right on again and do just as much damage as before.

Q. But killing them prevents those that are killed from doing any more damage.—A. O, yes, if you reduce the number, that is so much gained.

THOMAS DONALD.

FORT RENO, IND. TER., *August* 21, 1879.

THOMAS DONALD sworn and examined.

By the CHAIRMAN:

Question. Did you accompany the troops which pursued the Cheyenne Indians that went north last fall?—Answer. I did.

Q In what capacity?—A. As a scout.

Q. State what you saw and what you learned of outrages committed by Indians in their journey north.—A. I saw about thirty people who had been killed by Indians.

Q. Men, women, or children, or all?—A. Men.

Q. What else did you see?—A. I saw the destruction of a great deal of property. I saw parties who had lost a number of head of horses and cattle, which had been killed; I saw signs where they had killed them.

Q. Did they destroy property about the houses that they passed?—A. Yes, sir; they took property out of houses—clocks, sewing-machines, and such things—and piled them up and burned them.

Q. Where did you see this done?—A. I saw it in Kansas, and possibly in Nebraska; mostly right along the line between Kansas and Nebraska.

Q. Did you learn of any outrages committed on women?—A. I heard of them from citizens living in that country; eight women were ravished, I think.

Q. As to those men you found dead, had their bodies been mutilated? If so, how?—A. One they partially burned; he was in a wagon; the Indians had attempted to burn the wagon and body, but they only succeeded in burning a portion of the stomach.

Q. Was he fastened to the wagon in any way?—A. He was left lying in the wagon; he had been killed before they set fire to the wagon.

Q. Did you see any other instance of mutilation—scalping, or anything of that sort?—A. No, sir; I saw none scalped. Some were very old men; some were young men. All the appearances indicated that they had been killed without a fight.

By Mr. DAWES:

Q. How many did you say you saw?—A. About thirty.

Q. Did you keep any memorandum of the places where you saw them?—A. No, sir.

Q. Could you tell from memory where you saw them?—A. Yes, sir; I think so; one man was found killed on Sand Creek; he was buried by the troops; that was the first one I saw; that is on the edge of Kansas, I think; I am not positive; the next I saw was on the Sappa and Beaver, and along that section of country.

Q. They were not, then, all in one locality?—A. No, sir; they were scattered all along the route through which the Indians had gone.

By the CHAIRMAN:

Q. Have you any means of furnishing an estimate of the number of cattle that had been taken?—A. From the minor trails that intercepted the main trail, we concluded that the young men would slip away from the main body of Indians, and go off and get stuff and come in. We estimated that there were probably about five hundred head of horses stolen between here and Platte River. The number that they dropped on the trail and that we found indicated that they must have stolen a great many to make up the loss; every day or two we would come upon fifteen or twenty head of their horses which had become completely played out, and had been left behind.

By Mr. DAWES:

Q. Did you overtake these Indians at any time?—A. Yes, sir.

Q. Where?—A. The first place was at Salt Plains.

Q. How far is that from here?—A. About a hundred and fifteen or a hundred and twenty miles.

Q. Before you get out of this Territory?—A. Yes, sir.

Q. Well, what happened there?—A. We overtook the Indians there. We had with us a Mexican Indian, and we sent him down to talk with them; he found they were preparing for war; they had their war bonnets on, and were maneuvering their horses; the Mexican Indian told them that our commanding officer had sent word that he wanted them to go back to the agency; they answered that they were not going back; they were preparing to fight; they said they were getting ready to clean out the soldiers.

Q. Did he reason any with them about going back?—A. They did not want to reason; they wanted to fight.

Q. Did they give any reason?—A. No, sir; not that I ever heard.

Q. How many were there of them, all told?—A. There was about a hundred and thirty, to the best of my belief and knowledge.

Q. Do you mean that many fighting men, or that many in all?—A. Warriors I am speaking of.

Q. Well, what occurred?—A. We had a fight.

Q. At what other point did you overtake them?—A. The next place that we overtook them was at Sand Creek.

Q. What happened there?—A. I was not with the party when it arrived there; I had gone on to Fort Dodge; I joined them that night; it was about nine o'clock that evening I got into the command; they had first attacked the Indians that evening before I got there; the next morning we attacked them again; we fought them all that day, and that night the Indians left. The next day we came back to an old camp, eight or nine miles, and then took up the trail of the Indians again.

Q. Do you mean to say you were fighting with the Indians all that day?—A. Yes, sir, skirmishing.

Q. How large was the command then?—A. I could not tell exactly.

Q. You can tell the number of companies?—A. Yes, sir; but the number of men in each company I could not tell.

Q. How many companies were there?—A. There were three companies of cavalry and one company of infantry; possibly two companies of infantry; I am not positive.

By Mr. PLUMB:

Q. What was the result of the first fight?—A. The troops got nicely licked; whipped, *perhaps, would* be a more respectable word.

Q. In regard to those eight women that you spoke of being ravished, what further did you learn about them, and how did you learn it?—A. I have a letter from a party living right there, giving a full statement of the matter. I had heard before that there were a number ravished, but not the exact number; and this friend wrote me a letter afterward giving the number; he said there were eight of them.

Q. Did you hear of there being any girls ravished among this number?—A. Yes, sir.

Q. Did you hear their ages?—A. I was told that one was about twelve years old and the other thirteen or fourteen.

By Mr. DAWES:

Q. You heard that while you were up there?—A. Yes, sir.

By Mr. PLUMB:

Q. Did you hear that the Indians seized a woman and carried her along between them that way?—A. No, sir; I did not have much time to look around or to make many inquiries.

Q. You were not specially hunting up facts further than such as came under your observation or were given you by persons whom you casually met?—A. That was all.

Q. Have you had some experience with the Indians?—A. About twelve years.

Q. You know something of their mode of warfare with white soldiers?—A. Yes, sir.

Q. What do you say of the ability of our soldiers to cope with Indians man for man?—A. Take the Indians as these were and they had a great deal the advantage of the white soldier. They were better armed; they had the advantage of the ground; and they were lying for the troops.

Q. I mean generally; cannot a given number of white soldiers hold their own with an equal number of Indians when both have equal advantages?—A. I say a white man is equally as good a fighter as an Indian if equally well armed.

Q. Does not the government arm the soldiers as well as the Indians are armed?—A. Sometimes and sometimes not. In that case the Indians were well armed.

Q. Do you find among the men any particular dread of Indians as fighters?—A. I have scouted for troops a great deal and never hear the soldiers express themselves in that way.

Q. They are willing to tackle them?—A. Yes, sir.

Q. They do not get demoralized at the idea of fighting with the Indians?—A. No, sir; but they never before were called upon to fight when they had been without water for thirty-six hours, and were completely used up generally.

BEN CLARK.

FORT RENO, IND. TER., *August* 21, 1879.

BEN CLARK sworn and examined.

By the CHAIRMAN:

Question. State what your employment has been for a number of years past.—Answer. I have been in government employ all the time since 1868.

Q. In what capacity?—A As scout, guide, and interpreter; part of e time as a scout, part of the time as a guide, but the most of the time an interpreter; sometimes all three.
Q. Did you come with one of these bands of Cheyennes from their rthern home to this point?—A. I came with the Little Chief band of orthern Cheyennes from Dakota to this place.
Q. You did not come with the first band, the Dull Knife and Wild og band?—A. No, sir; I was ordered from here to meet that band, d met them and came back with them from Persimmon Creek.
Q. You were not with them when the treaty was made with them to ove?—A. No, sir.

By Mr. MORGAN:

Q. Did you know the Cheyenne Indians well, and were they acainted with you and friendly toward you?—A. I was well known to em and knew them all; I was personally acquainted with the South-n Cheyennes for years before; the Northern Cheyannes I was not so ell acquainted with, but I saw them occasionally and they all knew e by reputation.
Q. Were they friendly with you?—A. Yes, sir.
Q. Had they confidence in you?—A. They had, to the best of my nowledge.

By the CHAIRMAN:

Q. Go on and state your observations from the time you first met em; of their feelings and dispositions on the way down, and after ey came here till they left.—A. I was not here when they left here; was on the way down with the other band. When I first met them, Persimmon Creek, they were criticising the country and expressing me dissatisfaction in regard to it as not coming up to what they had een told it was. Up to that time there was about as many buffalo as ey had expected to find; there was quite a number of buffalo on Per-immon Creek and the Cimarron; and they thought that buffalo were retty plenty. But they said the country was not very well timbered, nd was very hot. They had heard rumors, too, of its being more un-ealthy here than in the north, but they had no proof of that yet.

By Mr. DAWES:

Q. Who was telling you this?—A. Dull Knife's band.
Q. Where were they then?—A. At Persimmon Creek, about a hundred nd ten miles from here. They appeared to have pretty good feeling all e time; they did not talk nor act as though they ever intended to leave e country; but they mentioned that it was not so well timbered as ey had expected. Very soon after getting down here they began to press more disappointment. This was increased by the fact that ere was considerable sickness among them. Then in all this country me was much scarcer than they had expected to find; they could find thing except turkey and some antelope.

By Mr. MORGAN:

Q. At what spot were they located when they first came down here?
A. They camped first within a mile or a mile and a half of this post; ortly afterward they removed onto the side hill, about three miles om here, on higher ground, where they made their summer camp.

By the CHAIRMAN:

Q. What time of the year was it when they reached here?—A. It as some time in August.

Q. Well, go on with your story.—A. I saw nothing and heard no special complaints until the winter following the summer of their arrival here. Then they asked permission to go out on a buffalo hunt, and were permitted to do so; but the buffalo hunt was a failure. Some few of the Indians, more by luck than anything else, happened to find enough to subsist on; others did not come across any buffalo at all, and were brought to a condition very near starvation; they came into Camp Supply for assistance; some of them ate their ponies for meat—ponies that would have died. This was a great disappointment to them. They had been looking forward to that winter hunt with high hopes, not only of getting a great deal of meat, but of obtaining a good supply of robes to sell for money or to trade for other things, as they had always been in the habit of doing up north. In the spring, when they returned, there was a continual grumbling among them; they said they preferred the northern country; that nothing turned out to be as described; that they were not getting the rations they were told they would get; that they had been told they were to get larger rations, but instead of that they were smaller; the complained not only of the quantity being so small, but of the quality being very poor.

Q. Did this destitution extend to all the Indians, or only to a portion of them, the portion that subsequently went away?—A. They were all grumbling; but those who did not go away not so much as those who afterward did go.

Q. About what time did this grumbling begin?—It began more seriously than before—for they had all along been complaining to some extent—early in the spring.

Q. Did the party that subsequently went north separate itself from the others?—A. After a while they did, and encamped at some distance from the others.

By Mr. MORGAN:

Q. What portion of them took up with the Southern Cheyennes?—A. Some five or six hundred of them took kindly to the other Indians down here, and affiliated with them; three or four hundred of them did not, but were separated.

By the CHAIRMAN:

Q. Five or six hundred of the Northern Cheyennes took up with the Southern Cheyennes, and three or four hundred did not?—A. Yes, sir; they communicated very little with the others; they appeared to have no sympathies in common; in the councils that were held at the agency they did not agree together; they did not appear to have any love for each other at all.

Q. Go on; what occurred to increase the dissatisfaction?—A. Later in the spring the measles broke out here—the first time the measles had been among the Indians since they came to this agency.

By Mr. PLUMB:

Q. In speaking of the measles, please consider carefully the matter of date.—A. I am pretty sure about the date; that is my recollection. I was here when the measles broke out, and it runs in my mind that that was the time; it was unusually unhealthy at that date among the the Northern Cheyennes; I am quite sure that the measles was the main cause of their bad health.

Q. You are certain that it was after the Northern Cheyennes came down here that the measles broke out?—A. Yes, sir; I think I may say that I am certain.

By the CHAIRMAN:

Q. Did they complain of want of medical attendance and medicines?—.. Yes, sir, to some extent; but not so much as persons not being here ight suppose. Many of them did not want attendance from white octors; they relied on their own modes of doctoring—their own medi-ne-men. There were others who would send for our doctors and would ike our medicines. There was a great deal of ague—dumb ague and ie regular shaking ague. They were unable to get medicine for that isease; quinine especially was wanted, but was not to be had. The xperience of the Southern Cheyennes was that that was the only ning that would do them any good. So the Northern Cheyennes, when ey came down here and the ague got among them, began to rely upon . It had a good effect in many cases, though sometimes it would stop too quick, and it would come back again. But that medicine ran out. hen there was but one doctor, and he was not able to obey all the calls ade upon him, and sometimes the Indians complained of that; they omplained very generally of the unhealthy state of the country.

Q. How long before Dull Knife and his party left for the north did ou leave to go somewhere else?—A. I left in the latter part of April—April 28; they left in September. I came back here on the 10th of December.

Q. Then you do not know anything that occurred just before they went away?—A. Asking me that question puts me in mind; now I remember. I was mistaken about the measles being here that spring, for I was here during the whole time of the measles; the measles were over before I left, Yet it seems to me it must have been that year. The most I remember about it is that I left about the 1st of May, and the measles were over before I left.

By Mr. PLUMB:

Q. Were the Northern Cheyennes here when the measles were here?—A. Yes, sir.

Mr. PLUMB. That is the main thing.

WITNESS. They were here, and very much afraid of the measles. All the mission children had them, and all recovered; they were attended by white doctors, and obeyed their instructions as to treatment. But in the camps they paid no attention to the doctor's orders; they would get convalescent, and go out in the cool evening air, and take cold and die.

By the CHAIRMAN:

Q. Do you think there was a sufficiency of rations issued to the Indians by the government?—A. My opinion on that point is that the ations were sufficient to keep them from starving, but not sufficient to eep them from suffering the pains of hunger. They were used to eating more meat than they got for rations; yet they got enough to keep hem alive.

Q. In their own way of living they eat more meat than bread?—A. es, sir; and greatly prefer meat to bread.

Q. The result is, when they get rations of meat they go to work at nce and use it up?—A. Yes, sir; and eat scarcely anything with it; nd after that they eat what is left, and what they do not like as well s they do the meat.

Q. If they would do as white people do, eat bread with meat, would he rations then be sufficient?—A. I think they would; they might live retty comfortably if they would divide it up in that way; but they ever do.

Q. You, being absent from home for some time before they left, do not of your own personal knowledge know what occurred?—A. No, sir.

Q. When you returned, you came down with Little Chief and his band?—A. Yes, sir.

Q. Were you with them when they had the interview with the officers which resulted in their coming away?—A. I was with them when the interview with General Sheridan occurred. They had heard from General Miles that they were to come down, and he had sent them as far as Fort Abraham Lincoln, but with no definite orders. I was ordered to go to Fort Abraham Lincoln, and get some Indians that were there, and take them to Chicago. From there they were to be brought down here to join the Southern Cheyennes—it having been decided by the government that all the Northern Cheyennes should join the Southern Cheyennes down in this country.

Q. What expression of feeling did they give upon learning of that decision?—A. They expressed themselves dissatisfied; they said they would much prefer to remain in the North, in the Yellowstone and Tongue River country; they said if they could be allowed to remain there they would be willing to do anything the government would require of them; would scout for the government against its enemies, Indian or otherwise, or farm, or do anything else there; but they were very unwilling to come here. Still, they did not say they would not come; they said they would come if they had to. They were told it was the intention of the government to send them down that fall by railroad and steamboat; it was now November. They begged to be allowed to remain at Fort Lincoln until spring, and then be allowed to come down by land on their ponies; if the government would issue rations, they would rather furnish their own transportation, and come in that way, as it would be pleasanter and healthier than to be carried on cars and steamboats. This request was granted. General Sheridan said he would send me to come down here with them; they had asked for me to come down with them. When I went up there, in the latter part of the following April, I went for that purpose.

Q. You are well acquainted with Little Chief?—A. Yes, sir.

Q. He appears to be very much dissatisfied?—A. Yes, sir; very much. He does not talk like ever being satisfied, though he always says that he will not act as foolish as Dull Knife did; still he may say so, thinking he may not have to do it. He probably thinks it is policy to say so. I will tell you what he did do, on the way down. A couple of exciting events occurred that the young men would as soon have fought about as to have given up to, but he was the main instrument in preserving peace. At the disarming of the Indians at Sidney, and their partial dismounting at the North Fork of the Canadian by Clarence Mauck, they argued that they were very much wronged, as these arms had been given them after the partial surrender of their arms and horses to General Miles, in the spring of 1875. After that surrender and disarming and dismounting, they were armed and mounted again to serve as scouts, to reward them for valuable and faithful services, and told that they could keep their arms and also keep their horses to travel down to the Indian Territory with. They said they never had done anything to forfeit the good will of the government, and they thought that they ought to be allowed to retain their horses and arms as had been promised them.

Q. What number of Indians attach themselves now to Little Chief here, so far as you know?—A. After his arrival here about twelve families left him—expressed themselves reconciled to remaining in this

intry, never expecting to go back north. All the rest remain with
n, still hoping to go back north some time. Then there are some
rty other families, of the first band of Northern Cheyennes that came
rn here, but who did not choose to break away with the rest.
Q. How many does that make under his leadership in all?—A. That
kes about sixty-odd lodges that are under his influence and acknowl-
ge him as their leader.
Q. They look to a return north yet?—A. Yes, sir; and if they thought
y could go with the permission of the government, as near as I can
derstand, there would at least ninety families go back; but after
iring the decision of the Secretary of the Interior, a part of these
nilies left Little Chief and gave up all hopes of being allowed to go
th.
Q. Let me ask you this question: The importance of the chiefs is
minished somewhat, is it not, by the mode of distributing rations
e?—A. Yes, sir.
Q. Do you suppose that that probably has anything to do with Little
ief's position on this question? Do you suppose he would rather
re about him a body of Indians who would acknowledge him as their
ef, and whom he could have more completely under his control than
n be the case here?—A. I do not think that has anything to do with
feelings in regard to going back north. He has had more with him
ce he came than he had before the outbreak of 1878; long before he
t here and saw the country, before he ever started, he was always in
pes he would be allowed to go back.
Q. Did he claim that it had been promised him that in case this coun-
did not suit him he would be allowed to return?—A. He claims that
neral Miles told him that. I was interpreter for General Sheridan,
d Sheridan did not tell him that; he told him, on the contrary, that
e government intended to remove all the Northern Cheyennes down
re to stay, and make their home henceforth with the Southern Chey-
nes.
Q. This interview with Sheridan was after their talk with Miles?—A.
es, sir.
Q. State what promises General Sheridan did make them, if any.—
As near as I can remember, he told them that this was a fine country
Indians; that there was still considerable game here; that they
uld be allowed to hunt; that the country was a large one, and one
t they could promise more safely would always be set apart for the
lians, and would not be taken up by white men. Up north, he said,
vas only a question of time when the whites would take the whole
ntry away, as they had taken the Black Hills away. He said
government had decided that it was for the interest of the Chey-
es to remove. He said he liked the Cheyennes especially, and would
to do what would be best for them. They mentioned to General
ridan about having these arms that General Miles had given them,
asked him whether they would be allowed to retain those arms.
General told them that when the arms had been given them with
se promises they would be allowed to keep them. Then they men-
ed the horses that General Miles had given them, and General Sher-
n promised that they would be allowed to keep them also. They had
t of other things which they had captured which the General said
uld not be taken away from them.

By Mr. PLUMB:

Q. Captured by these Cheyennes, while in the service of the govern-
nt, from *hostile Indians*?—A. So I understand. A part of them

were what they had surrendered themselves, that afterwards were given back to them. Their arms were given back to them in order to rearm them, to act as scouts for the government, but most, if not all, of those arms had been captured by them, while acting for the government, from the hostile Nez Percés and Sioux.

By the CHAIRMAN:

Q. What kind of arms were they?—A. Springfield rifles and Sharps carbines, generally.

Q. Will you give the committee whatever opinions you may have as to the best means of inducing Indians to become self-supporting, whether by farming, herding, or both; speaking of all the Indians on the agency?—A. I have been thinking a great deal about that, for a good while. I think this country is particularly adapted to stock-raising. I think the Indians of this country would take more kindly to stock-raising than to any other means of supporting themselves. They are raised from boyhood up to be herdsmen—herding their horses. There is plenty of grass here, a good range for cattle. The cattle would not require to be fed, winter nor summer. There is no need to cut hay for cattle.

Q. Herding is in accordance with their previous habits?—A. Yes, sir; the young men are brought up to that occupation. The two occupations of their life are hunting and herding.

Q. And farming is opposed to their habits?—A. Yes, sir; they have always been a nomadic people, accustomed to roaming here and there. The Cheyennes, and other Indians on this reservation, are not like some of the Eastern Indians, who dwell in permanent villages. They have been accustomed to roam over a country of several hundred miles, following the buffalo and changing camp.

Q. Is it your opinion that any great change can be made in the habits of the older Indians, or those of middle age and upwards, or will these have to die out and a new race come up?—A. I think a new race will have to come up before there is any very radical change. The old men are, many of them, willing to have a change, but do not want to be active in the change. They are satisfied to have plenty to eat and smoke. Men who are now twenty to thirty years old cannot get over their old ideas, thinking any kind of work like farming is degrading—only an occupation for women, of which men are ashamed.

By Mr. DAWES:

Q. Is it your observation that the Indian women themselves oppose the men going to farming?—A. Yes, sir; especially the young men. The women are ready to blister their hands, and work themselves to death, to save the young men from the disgrace of working.

Q. Is this the notion of the women themselves?—A. Yes, sir; any mother who has a son twenty or twenty-five years old, would think it degrading for him to go out into the field and hold a plow. She would rather work herself to death to keep him dressed up in the old style, with beaded moccasins and strouding leggings, and carry a lance and bow and distinguish himself in hunting.

By the CHAIRMAN:

Q. But a considerable number of these Arapahoes and Southern Cheyennes have made improvements, we are told?—A. Yes, sir, some of them; they have found out that in order to live at all they must give up their former roving habits, and adopt the white men's mode of living. There is no hunting in all this southern country sufficient to support

them without the aid of the government. There is nowhere that they can go but that the government can get around them and force them in. They did think that the Staked Plains would serve as a place of refuge for them, for years to come; but they have discovered their error in regard to that, and have now come to understand very well that there is nowhere that they can go that the government cannot lay its hand upon them.

Q. Since when has this notable change come about?—A. Since the war of 1874.

Q. Is it your observation that the disposition on the part of the Indians to take up the little farms, or patches, is extending and increasing?—A. Yes, sir; it is increasing, and it will continue to increase, especially among the southern Indians, if they do not have any serious failure; if the seasons do not get so bad that all their year's labor results in nothing; anything of that sort would disappoint them so that they would never want to undertake it again.

Q. What do you think of a change of policy in this direction: Saying to these Indians, in substance, wherever a family will go out and take up for itself a piece of land, the government will deliver to the head of that family four or five cows, with which to commence raising cattle; do you think that would tend further to increase still further this disposition?—A. Yes, sir; I think the tendency would be in that direction; but I think it would result about as well to speak about the cattle alone; to give so many cattle to each family, and let them bunch them up to suit themselves—five, ten, or fifteen families together, here and there. This would almost of necessity result in their wanting to select places, and they would finally settle on pieces of land, and raise a little in the way of crops, here and there.

Q. Would they be apt to keep these cattle, and raise other cattle from them, or would they kill them and eat them when they got a little beef-hungry?—A. I think they would keep them, as a rule, after having a thorough understanding of the intention of the government in giving them these cattle.

Q. Would it increase the probability of their keeping the cattle, to have the Indians make an agreement, a promise on receiving them, that they would not slaughter them?—A. I think they ought to have that understanding, have it explained to them thoroughly, before doing any such thing.

Q. And that failure to comply might bring with it some unpleasant consequences—stoppage of rations, or something of that sort?—A. Yes, sir.

Q. How is it about their keeping promises of that kind?—A. They do not consider such promises very binding; but if they thoroughly believed there was a purpose on the part of the government to stop their rations, or inflict some other penalty which it was in the power of the government to inflict, it would have a strong tendency to restrain them.

By Mr. MORGAN:

Q. I understand you to say that you came the last part of the journey with the first band of Northern Cheyennes—the Dull Knife band?—A. Yes, sir; I met them at Persimmon Creek, a hundred and ten miles from here, and came back here with them.

Q. Did you discover that they had arms?—A. I did.

Q. What kind of arms?—A. They had many Springfield carbines, such as the cavalry use now. Then they had Sharpe's rifles, and Winchester rifles, muzzle-loading guns, pistols, revolvers, &c.

Q. Do you know what they did with those arms after they got down here?—A. I suppose they were allowed to keep them.

Q. Do you know whether they were or not?—A. I do not remember of their being compelled to give them up.

Q. How was it about ammunition?—A. I saw a good deal of ammunition among them, I remember; a good many of them wore belts, with cartridges in them, in sight.

Q. How were the Little Chief band, that you accompanied down here, supplied with ammunition?—A. I got permission at various points to draw ammunition and issue to them, for the purpose of hunting.

Q. Do the Indians ever prepare their beef as salted meat?—A. No, sir; buffalo eating Indians never cure their food in that way.

Q. Do they use much salt in their food at all?—A. They have been in the habit of using this natural salt of the plains, more or less.

Q. Do they use it regularly in their diet, or only at intervals?—A. Only at intervals; they seem to get salt-hungry once in a while; ordinarily they do not use it, in cooking or otherwise. When they use salt at all, they generally take rock-salt, and in boiling meat take a little of the beef-tea and dissolve the salt in it, and dip their meat in the salt broth.

Q. Do you know much about the school children?—A. Very little; I have been in the mission two or three times since I have been here.

Q. As far as you can judge, are they improving in knowledge and becoming civilized?—A. I think they are improving some, but I think very slowly. I have no way of knowing much about that, but in my meeting with the children I have not heard any of them speak English at all.

Q. Are the Indians averse to having their children speak English?—A. No; but the children appear to be averse to it themselves; they seem to be ashamed, thinking that they do not speak it properly; the sister of George Bent can speak English pretty well; but she will never talk any English to me, nor to anybody else that she thinks can understand her native tongue.

Q. After Little Chief came back from Washington, did you observe any change in the opinions or conduct of his people? Did they still talk and act as if they expected to go away, or did they appear to become more reconciled to their fate?—A. I observed that a portion of the Northern Cheyennes, when they found out what had been the decision of the government, talked and acted as if they had given up all idea of going back north. But Little Chief said before he got here that he had understood that an election took place every five years, when a new President was elected, and he said that he hoped under another administration his application might be more successful, and that he might be permitted to go back north. He asked me if this "Big Eyes"—that was what he called the Secretary of the Interior—would be changed, too, when the new administration came in. I told him I thought he would. He said he thought his chances would be better then; he said he thought it would be better to have a thorough change in the government and try a new party. That was actually an idea of his own—about there being more hopes for him under a new administration.

Q. What did they mean by "Big Eyes"?—A. That is the name Little Chief gave the Secretary of the Interior, referring to his organs of vision.

Q. Because he wore spectacles?—A. They did not refer to his spectacles, but to the fact that his eyes looked large.

By Mr. DAWES:

Q. Is that the name they apply to the Secretary of the Interior generally?—A. No, sir; only to the present Secretary. The Indians give names to persons generally from some peculiarity; and they noticed his eyes. They soon get up a name for any person whom they have much talk with, or contact with.

By Mr. MORGAN:

Q. What is the name, in the original Cheyenne language, corresponding to "Big Eyes"?—A. It is "Mah-hah' Ich' hon"; "Mah-hah'" means "big," and "Ich'-hon" is "eye."

Q. When Little Chief and his band were at Fort Abraham Lincoln, were they at an agency?—A. No, sir; they were at the post; there was no agency there.

Q. How were they supplied with food?—A. They were fed by the military there.

SEBASTIAN GUNTHER.

FORT RENO, IND. TER., *August* 21, 1879.

Capt. SEBASTIAN GUNTHER sworn and examined.

By Mr. DAWES:

Question. Were you connected with the forces that pursued the Northern Cheyennes when they broke out in the fall of 1878?—Answer. Yes, sir.

Q. I understand that you were in command of one company?—A. Yes, sir.

Q. Will you go on and state in narrative form what transpired during that pursuit?—A. On the evening of September 5 the information was received at this post that some of these Northern Cheyennes had left the reservation, or were about to leave. Two companies of cavalry, of forty men each, were sent out, and the order was given, because it was now already night, to go near the Indian encampment, and encamp there for the night; and in the morning, if the Indians had left, we were to follow their trail, and pursue them, and bring them to this post. The next morning, when we came near the Cheyenne camp, we sent some scouts in front; these scouts came back and reported to us that the Indians were all there. The commanding officer, who was in command of both companies—his name was Major Rendlebrock—turned back toward the post. After we camped within three miles of the post, Major Mizner sent word that we should return and encamp up near the Indians. At this the commanding officer crossed the river again, and we encamped within between eight and nine miles from the post. From what I learned afterward, the Indians left that place and moved right across into the sand-hills, and fortified themselves.

Q. Where are those sand-hills?—A. They are about twelve or thirteen miles from here, on the banks of the Canadian, the north side. After it was ascertained that the Indians had moved and fortified themselves in the sand-hills, the commanding officer of the expedition sent lieutenant Wilder to this post, notifying the commanding officer here that the Indians had moved their camp and were in the sand-hills, and had fortified themselves there. Major Rendlebrock requested

that artillery be sent out, as we would have to shell them. Lieutenant Wilder returned, I cannot tell whether that same night or the next morning, without artillery. That was on the evening of the 8th of September.

Everything was quiet then for awhile. A great many Indians came into our camp, all well armed. Some had as much as two belts stocked with ammunition.

On the morning of the 10th of September Lieutenant Wood came out with a wagon and five days' rations for the whole command. He also brought information that the Indians had left the night previous, and orders that we should pursue them immediately. The rations were immediately divided and packed on pack-mules. In about an hour we found the trail. The trail first led across the river, to the south side of the river. Then they marched eight or nine miles on this side. Then they crossed the river again and took a northwesterly course. They traveled through the brakes of the Kingfisher, a very rough country. After coming to the head of these brakes they crossed the prairie and crossed the Cimarron. Then they halted on the north side of the Cimarron, at a place called Turkey Springs. There we found them on the 13th of September.

When we approached the rough country, where the Indians were supposed to be, we heard a loud voice in the cedar brake. It was the voice of an Indian. Then we were sure that the Indians were near there. As soon as we got over a very high knoll, over the broken country we could see the Indians, about a mile the other side of the ridge. We approached to within half a mile of them, when we were in between two cañons. After we got in, we found ourselves surrounded by the Indians. They were already lying in the cañons, waiting for us, although a majority of the Indians showed themselves a quarter of a mile further up, on rising ground. Some few Indians then rode within two hundred yards, backward and forward, as all Indians do before a battle. The commanding officer of the expedition sent out an Arapahoe scout, to find out whether these Indians would surrender. In fact, he ordered the Arapahoe scout to go out and urge the Indians to surrender and come into this agency peaceably. The Arapahoe went out, and was not satisfied with telling them that they should come into the reservation again, but he threw up his blankets, and made different Indian signs for them to come in, and the commanding officer would like it if there would not be any fight. They sent word back that they were ready to fight, and that they would fight; that they would not come back to the agency.

So the battle commenced. We fired first. The instant we fired, the Indians fired from the two cañons right and left of us; and also from our rear; there were two cañons in our rear. In fact, we were nearly surrounded. We fought the Indians there all day. We could not make any advance on them, because it was a very rough country, and they held all the advantageous places. In short, we found that the Indians were too strong for us. So we were lying there in line of battle all that day, and all that night, until the next morning, about seven o'clock. We had been without water all day and all night, and had had bad water the day previous; so the commanding officer was compelled to fall back. We fell back about five miles, the way we went, but not more than three miles in a straight line, where we found water. The commanding officer had an idea that we would have to fall back fifteen miles to where we had encamped two days before. We were lying there

all day. We fixed up the drags for the wounded; we had three wounded men.

On the morning of the 15th we started for Fort Supply. We had no doctor along with us; and, besides, all the officers were of the opinion that we were not strong enough to fight the Indians, and that we ought to get reinforcements, at the same time turning over the wounded at that place.

On the morning of the 17th, a detachment of forty men was sent out from Fort Supply to find a company which had been sent out before, and was expected to be all cut off from us. But this company could not be found. So the next day the balance of Major Rendlebrock's command went out and took the same road, and traveled toward Fort Dodge. We found the detachment which had been sent out the day previous, at the Cimarron River. The commanding officer of that detachment was Lieutenant Wood. He reported that he could not find the missing company, and that from what he could learn the company had probaly gone to Fort Dodge.

The next day we took up the road for Fort Dodge. When we came within twenty-five miles of that post we were met by two couriers, who had been sent out by Colonel Lewis, who was in command at Fort Dodge. The couriers brought us word that the Indians were very strong, and had shown themselves at the head of Sand Creek; and that Captain Hemphill and that same company that started from Camp Supply, and a company of infantry, had gone up on the railroad, and would cross the Arkansas at a place called Cimarron Station, and from there would move down on Crooked Creek and meet us. When this order was received it was night already, and the commanding officer of this expedition went into camp near some water-holes.

The next morning we struck across in a southwesterly direction, and found one cavalry company and the infantry company near Crooked Creek. I would here like to state to the honorable Senators that if they should desire me to give the exact dates of all these marches, I should have to refer to my memorandum book.

The CHAIRMAN. That does not matter particularly.

WITNESS. Well, we arrived at Sand Creek—I remember that date—on the 21st of September. The evening after we got into camp the Indians came in force and attacked us. When the command was started out to face the Indians it was within half an hour of sunset; dark came on soon, and the Indians dispersed.

The next morning the commanding officer tried to find the trail of the Indians; and after marching about a mile we found it. We marched on about seven miles, and found the Indians in number on one of the branches of Sand Creek. Our column was made up, and an attack was immediately made upon them. But the Indians were very strongly fortified; they were all in rifle-pits. We fought them there all day, but without success. In the evening we withdrew, and went into camp about a mile and a half below, at a place where we could get water. The next morning, early, some citizens, who had come along with us, went up near the place where we had had the battle the day previous, and after a while came back with the report that the Indians had left.

By Mr. DAWES:

Q. What day was this of the battle on Sand Creek?—A. It was the 22d of September. On the morning of the 23d we again started in pursuit of the Indians; we followed their trail all day and at night camped on Crooked Creek. Next morning we took up the march after them

again. We found where they had crossed the Arkansas about seven miles above the town of Cimarron. On that day Colonel Lewis, with two companies of cavalry and one company of infantry, joined the command that Major Rendlebrock had commanded and took command of the whole.

Early the next morning, after Colonel Lewis had joined the command, we again took up the march. After two days' marches we found the Indians in a very rough country, at a place called Punished* Woman's Fork. At first we camped within a mile of where we afterward found the Indians. We found evidences that they had camped there the night previous. In fact, there were all the signs that they had left there but three or four hours before. After we had come about a mile farther, the Indians appeared about eight hundred yards from us on the bluffs in numbers and fired on us. We were then in a narrow valley or ravine. The left-hand side was protected by high bluffs and the right-hand side by a very boggy creek. The Indians then made the first attack. Our command was immediately deployed, but the time was a little limited, and when we got within a hundred or a hundred and fifty yards of the Indians, or where they had been, all fortified within stone works, it got to be very dark, and the night was very stormy. At that time Colonel Lewis had already been wounded and brought back with the ambulance to the rear. Major Mauck took command of the whole party. He concluded he would keep the troops there all night, in order to make the Indians surrender the next morning. But there was one company of infantry, which had got there too late, on the other side of the cañon, where the Indians had been, and the commanding officer was of the opinion that if he should leave the troops there all night, in case there should be any firing, it might lead to a mistake between ourselves, as we were facing each other and only about two hundred yards apart.

The next morning we found that the Indians had left. A great many horses had been killed in the cañon the evening previous, and a great many packs had been left there on account of the horses having been lost. The property was immediately destroyed, and the pursuit after the Indians was taken up again. We followed them clear above Sidney, Neb. But Major Thornburg, who had been sent up from Fort Wallace, was in our front with fresh animals, and our orders were, to find the same trail that Major Thornburgh was on, and after we got a little north of Sidney Barracks, Major Mauck, who was in command of this expedition, received information that during the night the Indians had scattered among the sand hills in front of Major Thornburgh, and that he could now use his own discretion as to what further to do. The horses we had about half of them had given out, and he concluded that it was impossible to catch up with Major Thornburgh's command, so he went into Sidney Barracks.

By Mr. DAWES:

Q. That terminated the pursuit?—A. Yes, sir.

Q. State what evidences you saw of outrages committed by Indians upon the citizens.—A. We buried one man who was at the head of some cattle men on Sand Creek; that was where we found the first dead man. I did not see him myself, but the commanding officer sent him up to the soldiers, who buried him. We saw no more dead men till we came to the Sappa Valley. There I saw in one place, about fifty yards from a house, three bodies; they were lying about as close to each

* Observe that the other witnesses called this "Famished Woman's Fork."

ther as the length of this table. It looked to me as if they had been t work down in the field, near by the house, and had started to run or the house, when the Indians had cut them off and killed them. One f them was shot through the forehead; the next in the right or left ye, and the third was shot through the breast. From the shooting, it ooked as if they had been surrounded and shot by men who were very lose to them.

Within a half a mile, or probably within six hundred yards, of where e found these three bodies, we found three little children, who were in eir night-clothes; the oldest was about eight years old, and she was king care of the youngest one; she reported that her father had been lled and she did not know what had become of her mother. Major auck immediately ordered a few scouts, who were with us, to take ese children back to some houses which we had passed the day pre-ous. Several other persons were reported killed by the scouts.

Q. How many in number, do you think?—A. The first report when e went up was that there were forty-two persons killed, but by the me we came back, we heard that the number was only twenty-three.

Q. Did you see any evidences of females being outraged?—A. No, r; the scouts asked some of the women about that, and they partly knowledged that they had been outraged.

Q. Did you see any evidences of the destruction of property?—A. es, sir; a great deal.

Q. What were they?—A. At one house, or not far from it, I saw three ead bodies; that house was completely ransacked; there was not a icken, dog, cat, nothing whatever left alive; all the feather-beds and rniture had been destroyed; so was the flour and other eatables which is family had had in the house.

Q. Did you see any evidences of cattle-camps being plundered, stock tolen, or horses taken?—A. Yes, sir; the report was made to us that hey had gathered up and stolen all the stock in the country they passed hrough.

Q. Can you state, as an officer of the Army, what was the difficulty hat you did not bring those Indians back?—A. In the first place, the rst difficulty, in my opinion, was right at this post; the force here was ot sufficient; we had not enough troops here; if we had had more oops we could have held the Indians right out here where they had rtified themselves.

Q. You mean to say one reason of the failure was there were not ough troops in pursuit?—A. Yes, sir; there was not sufficient force nt out after them.

Q. Do you mean to say that all the force was put in pursuit that could spared from this post?—A. From this post I think a few more men uld have been sent. The order was first given for forty men to each mpany to go out. I had some few men here that I suppose could ve been spared.

Q. Was the pursuit, under all the circumstances, followed up with gor on the part of the Army?—A. It was, after Colonel Lewis took mmand; he had five companies of cavalry and one of infantry. In t, it was before; we made marches to and from forty-five and fifty-e miles a day.

Q. Is there anything more you would suggest to the committee?—A. vould like to suggest to the committee that this post should be in-eased; we need more troops here. If any Indians should attempt to eak out again, the same thing will occur over again.

Q. Is it your opinion that there is any danger of an outbreak here now?—A. I do not apprehend any danger this year.

Q. Are the Indians any more contented than they were a year ago?—A. I think they are; still, the discontent among the Indians is always here; it always has been here; and I have no doubt it always will be here; no matter how much food they get, they are discontented; the Northern Cheyennes particularly, because they want to go back to the country where they were born and raised.

Q. Did they give any reasons for their dislike of this country?—A. The reasons I heard from the Indians themselves were, that they had lost so many men down here by death; it was too sickly here, they said, and the country was too hot for them; then they wanted to go hunting, and they did not find much game in this country. These were the reasons they gave me.

Q. Did you hear of any other reasons?—A. They complained that they did not get sufficient food; but the Indians complain always about that; if an Indian has food, five or six pounds of beef a day, he wants ten pounds a day.

By Mr. MORGAN:

Q. Would it be possible to take artillery with you on the pursuit?—A. From here up to the brakes it was impossible.

Q. Could you not have taken a Gatling gun?—A. No, sir; the Indians were traveling in the worst country to be found; we could take no wagons, not even light wagons, with us; at the place where the troops found them, they were in a regular natural fortification; and all the way going up they selected the roughest, most broken country to be found.

THOMAS B. CHASE.

FORT RENO, IND. TER., *August* 21, 1879.

Dr. THOMAS B. CHASE sworn and examined.

By Mr. PLUMB:

Question. In what capacity are you employed, and how long have you been stationed here?—Answer. I have been here since February, 1877; I have been employed part of the time as post surgeon, and a part of the time as assistant surgeon.

Q. Have you had any knowledge of the Indians in this neighborhood, especially the Northern Cheyennes, since that time, as to their health?—A. I know nothing except by hearsay.

Q. What has been the general understanding?—A. The general understanding is that there has been a great deal of sickness among them.

Q. What kind of sickness?—A. Mostly malarial.

Q. During this sickness what medical force has there been to take care of the Indians?—A. There has been only one doctor.

Q. Do you know anything about the condition of the medical supplies, and especially of supplies of the character proper for the sickness that prevailed?—A. They were very deficient; the doctor had not the most common medicines needed. He had no quinine. I was over there several times, and the doctor had scarcely any at all.

Q. For what length of time was he out of medicines?—A. The precise time I could not state; but I know it was for several months.

). When was this?—A. It was last year—1878.
). Prior to the time when the Northern Cheyennes escaped?—A. , sir.
. State whether the doctor at the agency ever made application to post here for medical supplies?—A. Yes, sir, frequently; we helped l we could.
. And after you had helped, was he still deficient?—A. Yes, sir; he still deficient.
. State whether one surgeon at the agency is sufficient for the medi- care of five thousand Indians.—A. No, sir; he is not. They now e two surgeons; but then they had only one.
. State whether at any time you were ever called over to the agency he purpose of making a report on the condition of the medical sup- ; and, if so, when it was?—A. It was in June or July of 1878.
. Prior to the Northern Cheyennes going off?—A. Yes, sir; some prior to their going off.
. Had the deficiency then been existing for some time?—A. Yes, sir.
. Was this absence of medicines during the sickly season of the ?—A. Yes, sir.
. What diseases were then mostly prevalent?—A. Principally ma- l diseases.
. Do you know that the doctor refrained from visiting the Indians use he was out of medicines?—A. Yes, sir; he frequently locked is office because he had no medicines and went away, because he not want to be called upon by the Indians when he could do noth- for them.
. Do you know what the result was of this examination and report le by yourself and Dr. Hodge jointly into the amount of medical plies at the agency?—A. The result was that we found very few icines of any kind, and none at all of the kinds worst needed.
. I mean, do you know whether it was followed by any action on part of the department?—A. I do not know that it was; certainly by any immediate action.
. Do you know when he received a supply of medicines?—A. I d him several times whether he had yet received his medical sup- s, and he told me no. I think I have since understood that he ined them in January of this year.
. Did he tell you that he had made previous requisitions for medical plies?—A. Yes, sir; he told me that he had frequently done so, and d hear nothing from them.
. Was there any chance to purchase medical supplies in this vicin- —A No, sir; none at all.
. Did you know, by personal inspection of the premises, that he was of medicines?—A. Yes, sir; I saw that he was out.
. What amount of medical assistance, what number of persons, would ecessary for the number of Indians at this agency?—A. I should k at least two surgeons and a steward—two or three surgeons.
. State whether there is any steward at the agency.—A. There is not; doctor has been obliged to put up his own medicines and do all the k.

FORT RENO, IND. TER., *August* 21, 1879.

D. MILES recalled.

By Mr. PLUMB:

uestion. I asked *you whether beef* had been provided for this year in

full. You said it had not, though the precise percentage that was lacking you did not know.—Answer. No I do not. This year we have fifty thousand dollars more than last year for the three agencies.

Q. I want you to identify Form C, and see if it is a correct statement?—A. I presume it is all correct; it was prepared by my clerk in my office.

Mr. PLUMB requested to have this document made a part of the testimony, and it was so ordered. (See Appendix, Exhibit "E.")

By the CHAIRMAN:

Q. Do you believe the statement dated September 29, 1878, and contained on page 50 of the report of the General of the Army to the Secretary of War for the year 1878, to be correct?—A. It was prepared in my office, by my clerk, and I believe it to be correct. (See appendix Exhibit "G.")

By Mr. MORGAN:

Q. I want to call your attention to one other complaint made by the Indians. They say that a certain description of goods furnished them were of very inferior quality.

WITNESS. Did they specify any particular kind of goods?

Mr. MORGAN. They were wool goods, or something of that sort, furnished for clothing, I understood.

WITNESS. We have had a great deal of Kentucky jeans; if a merchant were here he could give the exact names better than I can; they are good for the purpose for which they are intended, but they are not goods that can be strongly recommended; it is an all-wool light-blue cloth; they have it at the Hampton school. This that they get at thirty-five to forty-three cents per yard is by no means so good as that.

Q. Does the government buy that or the Indians?—A. The government.

Q Have you ever had any of the goods of the description called "shoddy?—A. I would not want to call this "shoddy"; it was a fair quality of mixed goods—linen woof and woolen warp.

Q. Is it made of the real fiber of wool, or of wool that has been made into cloth before?—A. Of the real fabric, I think; yet they do make a shoddy of the cheapest, poorest kind; the moment you put your hand on it you can tell it.

Q. There has been a good deal of complaint that the goods will not wear.—A. They have not called my attention to it; I had supposed they were wearing well; it is not as good as a ninety-cent piece of goods of course.

Q. While not the sort of goods you can recommend, you think it a fair article for the price the government pays?—A. Yes, sir; it is the best wearing goods we have except this Kentucky jean.

Q. And no complaints have been made by the Indians?—A. Not to me.

By Mr. DAWES:

Q. Would it be a great deal of trouble for you to furnish the actual issues of supplies from this agency to the Indians for each week of the fiscal year ending June 30, 1879?—A. It will take some time, but if you desire it I will make out a statement and furnish it to you. (See Appendix, Exhibit "L.")

Q. You testified that during the last year you had issued rations to the Indians in accordance with the treaty requirements; then for the past year there has been no deficiency?—A. There has been no deficiency *in beef.*

Q. From what supply was that supply obtained by you; solely under ıe contract for the year, or from that contract and other sources?—A. ; was received from the Calvin Hood contract; it amounted to 4,784,-i8 pounds—just 1,000,000 pounds less than the statement.

Q. Why did you not receive the full amount set forth in the state-ent?—A. We did not call for it because we did not need it, having a illion pounds, or enough to last us two months or more, left over from ıe preceding year.

Q. One million pounds obtained in that way with the supply already ınning ma'le up the supply of beef?—A. Yes, sir.

Q. Do you remember when Colonel Mizner, within ten days after the ıtbreak, wrote to the Army officers representing that there was a defi-ency, or that there would be a deficiency, of rations here, and that the ntract required a supply of beef that would be sufficient for only about ro-thirds of the year? You are aware of the fact that he did so write, e you not?—A. I was not aware of it.

Q. Did he never call your attention to the fact that he had written a tter to his department on that subject?—A. He may have done so; ıt I do not now remember it.

Q. He did write such a letter; and we understand that you furnished e information contained in that letter; that you and he became anx-us in view of the inadequate provision made for the year; according ı his statement, if the contract were fulfilled according to its terms ıere would still be about one-third of the year unsupplied?—A. I gave im the face of the contract; but, at the same time, I showed him that ıe contract required the contractor to furnish, if called for, twenty-five er cent. additional. The twenty-five per cent. additional *was* called for, nd there was still left a deficiency which was supplied by a million ounds saved on the previous year's contract.

Q. Do you wish to put in, as a part of your testimony, that you got ot only the face of that contract but twenty-five per cent. extra?—A. es, sir; and a little over, because I could not divide the cattle.

Q. How much over?—A. About a million pounds in the contract for he present year, which required a million pounds delivered in May and une, 1879.

Q. And that furnished you how much?—A. Five million six hundred ıd eighty-seven thousand pounds, or about that.

By Mr. MORGAN:

Q. When was the contract for the present year made?—A. I think ay 24, 1879.

By Mr. PLUMB:

Q. I will ask you whether up to that time you continued to issue, and d on hand to issue to the Indians, full rations of beef every week?—Yes, sir.

By the CHAIRMAN:

Q. Are you required by the department to send estimates for supplies provisions yearly?—A. Yes, sir.

Q. Can you tell what your estimate was of beef for the year ending ne 30, 1877?—A. I am sorry that I did not stick that into my book; stimated, but I do not remember what the estimate was. I could fur-sh it to you if I were in my office.

Q. In making that estimate, did you estimate for three pounds or four unds of beef per day for each person?—A. I do not remember; I ow I estimated for four pounds last year.

Q. Do you remember how much was contracted for for the year ending June 30, 1878?—A. I do not now.

Q. Do you know how much was actually purchased that year? Sometimes you make a contract for a certain amount with the privilege of taking twenty-five per cent. more; when I ask how much is contracted for, I mean contracted for absolutely; and when I ask how much is actually purchased, I mean that to cover twenty-five per cent. more if it is actually brought in. Now, how much was actually purchased during the year ending June 30, 1878?—A. I do not remember.

Q. Did you issue the whole amount received up to June 30, 1878?—A. I did not.

Q. Why not?—A. The Indians went out on a hunt and did not require it.

Q. What was the amount of the excess?—A. I cannot state exactly from memory; but I think about seventeen hundred head of cattle.

Q. Was the excess carried to and issued during the next year?—A. Yes, sir.

Q. How much beef did you estimate for during the year 1878–'79?—A. I cannot remember, but will furnish a statement if you desire it.

Witness was requested to furnish the statement, and afterward did so. (See Appendix, Exhibit O.)

Q. What was the basis of your estimate for 1878–'79?—A. How many Indians and what allowance to each Indian.

Q. For how many Indians did you estimate?—A. For 5,004; but Little Chief's band increased that.

Q. At three or four pounds gross per Indian?—A. I cannot remember which.

Q. Why did you estimate for more, the gross amount, for 1878–'79, than for 1877–'78?—A. Because I had more Indians.

Q. Did it enter into your calculation that there would be no hunt?—A. Yes, sir, it did; I made no reliance on the hunt.

Q. How was the excess over the amount contracted for obtained?—A. We were in excess seventeen hundred head of cattle on the first day of July, 1877. Then, in addition to the amount contracted for, the Commissioner took in the twenty-five per cent. and was authorized to take in; and in his contract for the present year he provided for the million pounds delivered in May and June for the last fiscal year.

Q. Was the buffalo hunt of the winter of 1877–'78 a failure?—A. Yes, sir.

Q. Was that, and the known want of buffalo to hunt, the reason why the hunt did not take place in 1878–'79?—A. Well, there were a very few Indians went to hunt, but they did not amount to anything. Stone Calf's band went out beyond Camp Supply and got a few head.

Q. Was the knowledge that the buffalo hunt of 1878–'79 must fail a controlling element in your making your estimate for that year?—A. Yes, sir; on their last hunt the Indians lost more by the death of ponies than they gained in buffalo.

Q. If the quantity of beef contracted for for 1878–'79 had not been increased in some way, would there not have been a deficiency that year in beef?—A. Yes, sir.

Q. Even with the twenty-five per cent. additional which the Commissioner had the right to call for, there would still be a deficiency of a million of pounds but for the contract for the present year?—A. Yes, sir.

By Mr. PLUMB:

Q. When you say "if only the beef had been furnished that had been contracted for" you mean under the *first* contract?—A. Yes, sir.

Q. In making your estimates, are you under instruction from the department on what basis you shall put your estimate?—A. I do not believe there is anything specific about that.

Q. Do you base your estimate upon what the treaty calls for, or upon your own notion of what the Indians ought to have?—A. Upon what I thought was actually necessary, keeping in sight what the department regulations upon the subject are.

Q. Without reference to the treaty—just what you think the Indians ought to have?—A. Yes, sir.

Q. The department uses its judgment as to what the treaty calls for and then send it?—A. Yes, sir; I suppose so. At one time I went into the department, and while there saw written opposite a particular item in my estimate, "Not needed at all." So I see they do not send what I think to be necessary; but my estimate serves as a guide for them.

By the CHAIRMAN:

Q. Can you furnish the committee copies of your estimate for 1877–'78 and 1878–'79?—A. The copies can be had at the Office of the Commissioner of Indian Affairs, or I can furnish them. (See Appendix, Exhibit "M.")

By Mr. PLUMB:

Q. Have you ever, at any time when issuing beef to Indians, pinched the issue in order to make a gain in favor of the government and against the Indians?—A. I do not believe I have.

Q. Or to make the supply hold out when you were afraid that it would run short, and issued less than they were entitled to?—A. I have issued more than they were entitled to. I think the Army officers who have witnessed the issues during the last two years will say that I have issued more than the Indians were actually entitled to. I would drive the cattle into the branding chute, five head at a time. On reaching the platform scales, those five head would be shut into an inclosure just covering the platform, and there they would be weighed; then Mr. Williams, who has been accustomed to oversee that part of the business, or I, would call out the average weight of those five head. Then, if some of the cattle were a little larger than others, or a little smaller, a man who was accustomed to judging of the weight of cattle could tell how much heavier or lighter than the average a given animal was, to within a very few pounds. An experienced man is placed at the end of the branding chute, to let the cattle out to the Indians. The larger parties of Indians get the larger cattle, and the smaller companies the smaller cattle. The beef is issued once a week. Each Indian has a right to three pounds of beef a day, which is, of course, twenty-one pounds a week; so, by having the weight of a steer, it is easy to calculate how many Indians it should be divided among. For instance, an Indian presents himself with, we will say, forty-one beef checks; that would call for a steer weighing (21 × 41) 861 pounds. The man who is letting out the steers runs his eye over the five cattle that have just been weighed; he has heard the average, as called out, to be 855 pounds; he chooses out a steer that he thinks will weigh, say, ten pounds more than the average, and issues it to this company; so they get a steer weighing a few pounds more than their checks call for. They get more oftener than they get less; they are all the time getting a little bit the advantage. The Commissioner of Indian Affairs has usually al-

lowed for a little margin in his lettings, so that there can be but very little mistake about it. There are sometimes ten or fifteen head of cattle left over.

Q. When the contracts for beef are let at the spring lettings, does the department send a copy of the contract?—A. Yes, sir.

By Mr. MORGAN:

Q. Colonel Mizner said something about an "agency herd" belonging to the boys of the school. I would like to have you explain regarding that more fully. Of how many cattle does that herd consist? How did those boys obtain them, &c.?—A. This herd began to be accumulated in the summer of 1875 by three boys belonging to the school—Ja-ah, Wa-ku-netch, and Wa-shea. They milked three cows belonging to the agency the summer through, in compensation for which they received three calves. That is where the whole thing began. That same season eleven other boys belonging to the school planted and cultivated fifty acres of ground to corn; the crop they sold for $305, and with the money received they purchased young cattle. I think that first purchase was ten head of milch cows, ten yearlings, and one bull.

The next year (1876) one hundred and ten acres of land was rented to the larger boys of the school, they receiving one-half the crop. The other half went to the government and was fed to the animals belonging to the government, thus saving the government the expense of purchasing the supplies necessary for that purpose from some other source. The share that went to the boys who cultivated the land was invested in young cattle and hogs.

The following spring the boys interested in the crop were allowed their choice, either to take their share of the corn, together with the cattle belonging to them, and open up a farm among their people, or to remain in school and invest the proceeds of their corn in more cattle to enlarge the herd. Seven of the boys chose the former, and left the school, taking with them ten head of cattle belonging to them. The remainder chose to sell their corn, and invest the proceeds in cattle. They purchased that year, I believe, twenty or twenty-two cows, nine or ten three-year-old heifers, and about fifty yearlings. This year there was also an increase of twelve calves, and one loss by death.

In 1878, the boys still carried on the agency farm on the same terms as before. Since 1876, all sales from crops raised have been equally divided between the children and the agency, and all invested in young cattle. A fine of $250 imposed upon a herd of cattle illegally held upon the reserve was collected by direction of the Indian Office, and invested in young cattle, and last year (upon my repeated recommendation) four hundred head of cattle were purchased by the Indian Office and incorporated in the herd. All the cattle put in by the Commissioner were yearling heifers.

Five ponies and saddles, to be used in herding the cattle, have at different times been purchased by the government out of funds derived from the sale of fresh pork slaughtered last winter, the hogs belonging o the agency.

The herd now consists of two hundred and twelve cows, fifty-five two-year-olds, five hundred and fifty-four yearlings, and one hundred and seventeen calves. From the sales of stock there is now on hand about two hundred and forty dollars in cash. The total value of the herd is between nine and ten thousand dollars. The boys—and girls, I may add—feel very proud of them, and take excellent care of them; very few of them have died. Several of the girls own cattle; one girl owns fifty-odd head; her father put thirty-five cattle into the herd for her benefit.

Q. Who are the children that have gathered this herd; to what tribe, I mean, do they belong?—A. Up to 1876, the boys who had invested their earnings in cattle were all Arapahoes. Previous to that the Cheyennes had taken little or no interest in the school, sending no children, but when they did put their children into the school, they wished to place them on an equality in all respects with the Arapahoe children, so they purchased about as many cattle as the Arapahoes had, and placed them in the mission herds for their children's benefit.

Q. To what extent are these cattle in reality the property of these children? When one of them leaves school and goes out among his people, does he take his cattle with him as his personal property? and how about these cattle that the government has purchased and placed in the herd? Since it has given them to the school, can the school boys, when they go out into the world, each take his share of them, or have they been given in some more limited sense, so that the government after all retains the ownership of them?—A. The children own only those originally put in by them, together with the increase. Each child owning cattle has a special brand, and all of his or her cattle are branded with that particular mark, to identify them. To-day between five and six hundred head of the herd belong to the government for the benefit of the school in common; the remainder belong to individual children. When a boy or girl leaves the school, he or she is entitled to take away from the herd all cattle having his or her brand. The object in holding all cattle purchased by the Indian Office undivided is, to form a nucleus of a herd which it is believed may in a few years render the school self-supporting by the sale of beef cattle. In the future management of this herd it will be the aim to render it capable of endowing each child, on leaving school, after passing through the proper period, and being honorably discharged, with a small number of heifers, as a start in life. The number to be given to each will of course materially depend upon the success in raising and caring for the cattle, and the number contributed by the government to the herd. If no change is made there can be no doubt that only a few years need elapse before the sales of beef cattle will be sufficient to pay the expenses of the school; and it is believed that if the same plan were, on a larger scale, adopted for the benefit of all the Indians in the country, it would be the means of relieving the government in a short time of the necessity of calling on Congress for annual appropriations for their support. To give them one or two head at a time will not answer; they will generally kill them when suffering from hunger; but if the cattle are herded by government, and kept under its exclusive charge, the plan can, in my opinion, be carried to a successful issue.

(For an exact statement of the purchases, expenses, increase, &c., of this herd, see Appendix, Exhibit "N.")

WILLIAM M. LEEDS.

WASHINGTON, D. C., *January* 24, 1880.

WILLIAM M. LEEDS, being sworn and examined, addressed the committee as follows:

I would like to say before I begin that I requested the privilege of seeing the papers from the Indian Office, in order that I might refresh my memory and be able to testify intelligently. I sent a note, making

this request, to the Secretary, who sent a reply that the answer would be forwarded to Senator Kirkwood. I then wrote to Senator Kirkwood, and through him a request was sent to the Secretary to furnish you with copies of the documents I desired; and the papers are here, I understand, although I have not had an opportunity to see them. That prevents my having any use of the papers. I have, however, concluded to get along without them.

After some remarks by the chairman regarding the scope of the investigation (namely, that the committee was authorized to investigate only the escape of the Cheyenne Indians), and the limitations that should be imposed upon the witness (namely, that he should include in his statement nothing except what had a bearing upon this subject), Mr. Leeds proceeded as follows:

Nine hundred and thirty-three Northern Cheyennes and four Northern Arapahoes arrived at the Cheyenne and Arapahoe Reservation, in the Indian Territory, August 5, 1877, under charge of Lieutenant Lawton. The outbreak occurred September 9, 1878. John D. Miles, agent for the Indians of the Cheyenne and Arapahoe Agency, said in a letter to the Indian Office, dated November 1, 1878, "Not one of the chiefs who left the agency September 9, 1878, signed the treaty of September 26, 1876, and on more than one occasion one of the chiefs who left informed me in substance that they had never made a treaty, and had only come south on trial and under great pressure, and have continually talked of returning, and threatened to return when matters did not go to suit them."

In his reply of same date to a letter from Commissioner Hayt, dated October 16, 1878, he refers to the fact that at times he had not dealt out flour to his Indians, because there was not any on hand to give them.

Commissioner Hayt in his letter of November 16, 1878, transmitting to Secretary Schurz the letter of Agent Miles, of November 1, 1878, admits that the full quantity of subsistence supplies due the Northern Cheyennes was not dealt out to them; but he so states the facts that the truth is not apparent. He states the amount of beef due them under the treaty for the year ending July 1, 1868, to be 914,256 pounds; and the amount of beef given to them 1,151,088 pounds; whereas only one-half of each of those quantities would represent merchantable beef; the other half is not food.

By the figures which he gives there would seem to have been dealt to the Northern Cheyennes 98,616 pounds more of food than their treaty entitled them to; and the Commissioner makes the statement that "by the treaty they were entitled to receive, during the year, supplies to the money value of $35,204," and adds, "This statement disposes of all the clamor that has been current during the year, that these Indians did not receive rations to the amount to which they were entitled under the treaty."

The facts are, first, that instead of there having been due them to July 1, 1878, the amount of 914,256 pounds of beef, there was only due them 457,128 pounds; and instead of there having been dealt out to them 1,151,088 pounds of beef, there was dealt out to them only 575,544 pounds of beef; in each case one-half of the amount which he calls beef represents the weight of the hides, horns, hoofs, entrails, and refuse of the slaughtered animals; it is known as "tare," and is not food.

Deducting for the over-statement of beef on both the debit and credit sides of the account, it will be found that instead of there having been a surplus of 98,616 pounds of food dealt out to them up to July 1, 1878, there was a deficit of 19,800 pounds up to that date.

Secondly. That the treaty does not mention the money values of the

supplies which the government promised to furnish them; it simply specifies the articles.

Thirdly. That the change in the component parts of the ration which their treaty calls for, injured its real value as food, although its money cost might have been increased.

An analysis of the Commissioner's next statement shows that, allowing for the full government ration from the 1st of July, 1878, to the 7th of September, 1878, inclusive, there must have been a deficit of food during these sixty-nine days, the money value of which he states at $352. He then adds that, "in this connection it would be fair to state that the rations for the year ending July 1, 1878, were nearly $3,000 greater in money value than the Indians were entitled to by the treaty; and the small deficiency represented by the $352 was owing to the fact that the Indian appropriation bill was not passed by Congress until the 27th day of May, and the opening of bids for supplies for the new fiscal year took place on the 18th of June, and it was absolutely impossible to make the purchase of supplies and transport them to the agency in season to be available as soon as the supplies were actually needed. Nevertheless the deficiency in amount was so slight that it is impossible to say that these Indians left the reservation for the want of sufficient food. It should also be considered that the government ration, consisting of three pounds of beef (gross), one-half pound of flour, one-half pound of corn, and for every one hundred rations four pounds of coffee, eight pounds of sugar, and three pounds of beans, for every man, woman, and child, is more than sufficient for the ample sustenance of any community in the United States."

It is of no consequence to the Indians what may be the comparative cost of the Indian ration agreed upon by treaty, at different times; the bargain was for food, not money. The small deficiency of $352 would have paid for seven thousand pounds of flour. If the three hundred Indians, who, with Chief Dull Knife, broke away from the agency had received that $352 worth of flour, the outbreak might have been averted.

The letters from Agent Miles, in which he states that the Indians had been unsuccessful when on their hunting expedition in the winter of 1877–'78, and that because of their misfortunes at that time he had discouraged and dissuaded them from starting out for a hunt in the month of July, 1878, gave full notice of the fact that it would be necessary to purchase more supplies, in order to feed them until deliveries under the new contracts for the year ending June 30, 1879, could be made. The requisite supplies of flour and corn might have been purchased in open market without waiting for the making of contracts under the new appropriation.

Again, the treaty does not mention anything about three pounds gross, but does say one and one-half pounds of beef, or in lieu thereof one-half pound of bacon. The quantity of beef, net, which could be gotten from an animal which might weigh 750 pounds gross would depend entirely upon the condition of the animal. I have seen a Texas cow delivered at an agency in the Indian Territory which did not have beef enough on it to be worth trying to get off. The Indian to whom it was dealt cut off the hindquarters, which I judged weighed about thirty-five pounds each; he cut off one forequarter, and after looking at it threw it away; the rest of the carcass he tried here and there, but failing to find meat he abandoned it. The hide and about seventy pounds of meat, bone, gristle, and sinew, but little of the first item, was all that he got from it. A simple statement of the gross weights of Texas steers and cows, without reference, does not afford any basis for a calculation

as to how many pounds of such animals would be required for the ample sustenance of any community in the United States.

In the report of Maj. J. K. Mizner, dated Fort Reno, Indian Territory, September 20, 1878, a copy of which was received at the Indian Office, he says: "During the latter part of the winter and the early part of the spring the beef was very poor, and was much complained of by all the Indians on all occasions, and it was really very bad. From the 1st of July to the 1st of September, the issue of rations was very unequal. The regular ration of flour was issued but twice, while beef was issued constantly; there was but little flour, and sometimes no coffee or sugar." A table, showing issues during July and August, is appended. (See Appendix.)

"It is thus demonstrated that at the issue for the week commencing August 5th there was no flour dealt out, and nothing in lieu thereof.

"Secondly. That at the weekly issue of August 12th about 27,400 pounds of beef, gross, and 4,522 pounds of corn were issued in lieu of the 35,000 pounds of flour and corn to which they were entitled; no flour was issued. The additional 27,400 pounds gross of so-called beef was in reality only 6,850 pounds of meat; and as the meat ration was already enough, the 6,850 pounds additional of lean Texas beef was of no more value as food, probably not of as much value, as the same weight of corn and flour; and the 6,850 pounds of meat and 4,522 pounds of corn, in all 11,372 pounds, was what they actually received in lieu of the 35,000 pounds of corn and flour provided for by their treaty. Therefore there was an actual deficit of food at the weekly issue of August 12th of more than 23,628 pounds, or about four and three-fourths pounds for each Indian. The main items of the Indian ration, viz, one and one-half pounds of beef and one-half pound each of flour and corn, give three-fourths of a pound of meat and one-half pound each of flour and corn; that is one and three-fourths pounds of food. The deficit of four and three-fourths pounds for the week is about eleven ounces daily. Deducting eleven ounces from one and three-fourths pounds, we find that they received only about seventeen ounces of food daily.

"To state it in another form, the 133,501 pounds, gross weight, of so-called beef did not give them but 33,375 pounds of meat; to that amount add 4,522 pounds of corn, and we have the total quantity of food which was supplied to the 5,004 Indians of the Cheyenne and Arapahoe Agency for the week ending August 19th, 1878, viz, 37,897 pounds, or about seventeen ounces daily for each Indian.

"At the weekly issue of August 19th neither flour nor corn was dealt out, and there was no addition to the beef ration. There was an actual deficit in the ration of one and three-fourths pounds of food, of one pound of flour and corn. With the exception of their sugar and coffee, which are always scant rations, they only had their per diem of one and one-half pounds of merchantable beef or three-fourths of a pound of meat for the week between August 19th and August 26th.

"August 26th there was neither flour nor corn issued to them. They received their scant rations of sugar and coffee and 10,007 pounds additional merchantable beef; thus all that they received at this issue was fourteen and one-fourth ounces of meat.

"September 2d they received their full ration of beef, but no corn, and less than three-fourths of their flour ration. They actually received but eighteen ounces per diem of food, as against the twenty-eight ounces to which they were entitled for the week preceding their outbreak from the agency."

The facts stated by Maj. J. K. Mizner in the table to which I have re-

(see Appendix,) are contained in the reports of Agent Miles to
lian Office.
ill be found, on an inspection of the property returns of Agent
or the quarter ending September 30, 1878, upon Abstract D to
ty rations, which give the number of Indians and quantities of
s issued to them, that the Northern Cheyenne Indians at times
receive either flour or corn, and did not receive anything in lieu
f. Commissioner Hayt's report for 1878 contains the following:
e per diem ration due to each man, woman, and child under the
is: Beef, 1½ pounds net (or 3 pounds gross), or in lieu thereof ½
of bacon; flour, ½ pound; corn, ½ pound; and for each 100 rations
4 pounds; sugar, 8 pounds; and beans, 3 pounds; this is more
fficient for the ample sustenance of any community in the United

Excluding Indians upon the hunt, there has been at the agency
n the time of their first arrival, August 5, 1877, and the time
he Dull-Knife party left the agency, September 7, 1878 (a period
days), an average of 860 Indians.

y were entitled to the follow-
antities of supplies:

.....	1,026,840	pounds.
.....	171,140	"
.....	171,140	"
.....	13,725	"
.....	27,450	"
.....	10,294	"
tal.....	1,420,589	"

"There was dealt out to them during the time mentioned the following:

Beef.....	1,242,208	pounds.
Bacon and lard	20,016	"
Flour	157,060	"
Corn	18,190	"
Coffee	10,425	"
Sugar	20,950	"
Salt	2,272	"
Soap	2,297	"
Hominy	14	"
Tobacco	994	"
Baking powder	894	"
Total.....	1,475,320	"

ere were due them by treaty 1,420,589 pounds of subsistence sup-
nd there have been dealt to them 1,475,320 pounds, or a surplus
31 pounds. This statement disposes of all the clamor that has
rrent during the year that these Indians did not receive rations
amount to which they were entitled under the treaty."
ecting the statement in Commissioner Hayt's report for 1878,
plus of 54,731 pounds is a surplus of hides, horns, hoofs, entrails,
use.
half, or 107,684 pounds, of the difference between the amounts
as beef to which they were entitled and as beef dealt out to
epresents hides, horns, hoofs, entrails, and refuse, or the fifty
t. of tare which is allowed the government at the time of pur-
g, and which is not food.
le it is true that there was a surplus of 54,731 pounds of gross
s furnished to the Indians, it is also true that after deducting the
r cent. tare from the amount of beef to which they were entitled
e amount dealt out to them, there would be shown a deficit of
pounds.
ming that the beef promised by treaty is to be what is known as
ntable beef, which includes bones, gristle, and tendons, in order
e at a fair estimate of the actual quantity of nutriment which

their treaty called for, and the real amount which was dealt out to the Northern Cheyennes for the 398 days that they were at the Cheyenne and Arapahoe Agency, it is proper that from the net weights of merchantable beef a deduction be made for the bones, gristle, and tendons. Information received from the president of a beef-canning company, a hotel proprietor, and a family butcher and dealer, confirms the stateent that Texas steers which will give but fifty per cent. of merchantable beef will give but twenty-five per cent. of food.

They were entitled to the following quantities of supplies:
Beef, merchantable, 513,420 lbs.; that is—

Beef consumable	256,710
Flour	171,140
Corn	171,140
Coffee	13,725
Sugar	27,459
Beans	10,294
Total	650,459

There was dealt out to them the following quantities of supplies:
Beef, merchantable, 621,104 lbs.; that is—

Beef consumable	310,552
Bacon and lard	20,016
Flour	157,069
Corn	18,190
Coffee	10,425
Sugar	20,950
Salt	2,272
Soap	2,297
Hominy	14
Tobacco	994
Baking powder	894
Total	543,664

Thus it will be seen that the quantity issued during 398 days was short of what was due them 106,795 pounds, without making any allowance for loss, or shrinkage, or depreciation in the value of the rations by reason of a change in the proportions of its component parts.

These facts, in connection with the fact that for some weeks their scant rations were still further decreased by the lack of the one-half pound per diem of flour, are not only sufficient evidence that the Northern Cheyennes did not receive rations to the amount to which they were entitled under the treaty, but sustain the charge that the were being starved.

By Mr. MORGAN:

Question. These are your deductions from the different reports to which you have referred?—Answer. Yes, sir.

Q. And not statements made from your own personal knowledge, aside from the reports?—A. I claim them to be facts coming within my own knowledge.

By the CHAIRMAN:

Q. The statements are in the departments, are they not?—A. By reference to what I have said you will see that I have quoted from Major Mizner's report of September 20, 1878, and that he procured his data from the agent's reports to the Indian Office.

Q. The sources from which you derive your statements are on file in the Indian Office, are they not?—A. They were on file there.

Q. All the information you have here given us, then, is there already?—A. Yes; it might be found there. It can be found also, the most of it, in this letter dated February 12, 1879, from the Secretary of War to chairman of the Committee on Indian Affairs.

Q. Let me you understand you fully; your statements are made from and based upon the report made by Major Mizner?—A. Partly, but not entirely.

Q. And his reports are based upon reports shown to him by Agent Miles?—A. Yes.

Q. And those reports are on file in the Indian Office?—A. They are, or, at least, they ought to be.

By Mr. DAWES:

Q. Do the treaty stipulations regarding the food of these Indians deal at all with beef consumable?—A. I should say that they do entirely; the treaty says "one and a half pounds of beef," and it would hardly be the thing to give them a pound of bone and half a pound of beef.

Q. You seem to divide beef into three classes—beef gross, beef net, and another class, beef consumable; what class does the treaty contemplate shall be furnished the Indians?—A. The treaty says "one and a half pounds of beef," and I construe that to mean merchantable beef.

Q. The middle class of beef, if I may call it so?—A. Yes, sir.

Q. Does the treaty deal with no other class of beef than the middle class you name, and provide for a substitute for it in gross?—A. No; nothing is said about "gross" in the treaty.

Q. Where the treaty provides for one and a half pounds of beef, that you understand to be merchantable beef?—A. I so understand it.

Q. But suppose that, in point of fact, the merchantable beef turns out only a small amount of consumable beef, who is to blame for it?—A. I take it the treaty means food to live upon; if, instead of that, they get a surplus of bone, the treaty is hardly complied with.

Q. Do they give these Indians a surplus of bone when they supply them with merchantable beef?—A. What is called merchantable beef at any Indian agency could not be sold in this market, as a general thing.

Q. Is not the fault, then, in the treaty? If the Indian Office furnishes the Indians with what the treaty calls for, and after all there proves not to be enough, because the merchantable beef does not produce the expected amount of consumable beef, you could not very well arraign anybody but the treaty-making power, or the law-making power?—A. I arraign the lack of appropriation to properly feed them; the appropriation is not sufficient. In winter to get one and a half pounds of merchantable beef would require four pounds gross, instead of three; three pounds gross of Texas steer or cow would not produce a pound and a half—no, nor a pound—of merchantable beef, at times.

Q. Is it not, in point of fact, impracticable to deliver to each Indian his net pound and a half of beef? Can it be delivered to him in any other way than in gross?—A. No, sir; and, therefore, the estimate should be liberal enough so that they would actually get the necessary food.

Q. He apparently gets the food that answers the statute requirements; and when they have furnished him that, they have done all that you expect them to do, have they not? Have they not fulfilled the letter and spirit of the statute which requires such a ration?—A. I would not say so.

Q. If the Indian Office has fulfilled the statute or appropriation, what would you expect them to do, except to cry out to Congress in representation of the insufficiency of the appropriations?—A. I conceive it to be the duty of the Indian Office to give the matter a thorough investigation, and if they have not the rations, as I have described, to point

it out to Congress, and demand that supplies shall be furnished to keep these men alive.

Q. Admitting that the Indian Office has complied with the letter and spirit of the law up to the measure of the appropriation; that they have furnished a pound and a half net; but that, as you say, and it may be true, a pound and a half net does not afford subsistance enough, nutriment enough, for an Indian, has the Indian Office anything to do with that?—A. My point is this: The wrong of the Indian Office consists in saying three pounds gross, when the treaty does not say three pounds gross, for you agreed to furnish a pound and a half net.

Q. Then, if I understand you, your point is that the substitution of three pounds for a pound and a half net is not a fair substitution?—A. It is not a fair substitution for the greater part of the year.

Q. You admit that in any particular administration it is necessary to furnish beef gross instead of net; that it is not practicable to furnish beef net to each Indian?—A. Certainly not.

Q. Who has determined that three pounds gross is equivalent to a pound and a half of net?—A. That has been the accepted way of dealing out beef by the Indian Office for many years.

Q. They have always done that?—A. So far as I know.

By the CHAIRMAN:

Q. Do you make the point that the Indian Office is subject to criticism because the kind of beef which it furnishes is of such a character—Texas steers—that three pounds of that kind of beef would not furnish the equivalent of one and a half pounds net, that some other kind of cattle would furnish?—A. I can only say this: That I have complained a number of times that the Indians were not properly fed. At the time General Sheridan sent forward his letter, I believe I wrote three-fourths of the answers to his budget of details, and when I handed the document to Secretary Schurz I remarked to him that it was disingenious; he asked why; I said, "because it would make the public believe that the Indians were properly fed, when in fact they were not." I spoke to Commissioner Hayt about it, but made no impression whatever. I got Inspector Hammond to go and tell Mr. Schurz that they were not properly fed, but it was of no use. Then I spoke to Mr. Hayt and Mr. Schurz together, but it made no impression.

Q. Suppose that I admit that the Indians are not properly fed; now, I am trying to trace through you the place where the fault lies; put your finger on it and point out where the fault lies, in your opinion.—A. I should say that, as is true of the whole Indian business, the fault is due to a lack of appreciation of the subject.

Q. At this agency which we have been discussing, instead of furnishing the beef that was furnished, and following the policy that was followed, what would you have done?—A. I would have let Congress know that the Indians could not be fed with the appropriation; I would have let them know what was needed, and have asked for more. I urged that that should be done; I insisted that the Indians of the three southwestern agencies in the Indian Territory needed sixty thousand dollars' worth more of food than they had been allowed the previous year.

Q. Have you any other suggestion? I am now talking of that particular agency, and asking what ought to have been done that was not done there?—A. Instead of dealing out to the Indians three pounds gross of beef, they ought to have had at least four pounds, for two-thirds of the year, and I do not know but the whole year; even in the season when there is plenty of grass all around the corral at the agency the grass is

eaten up; the cattle have to be driven several miles away to feed; they start out at eight or nine o'clock in the morning, and are brought back again at five o'clock in the afternoon. Cattle will lose in that way.

Q. How can that hurt the Indian when the steer is weighed out to him after that?—A. It hurts the Indian in this way: take an animal weighing nine hundred pounds, and half of that weight or four hundred and fifty pounds will consist of hide, horns, hoofs, entrails, &c.; one-half the remainder is bones, sinews, and gristle, and the other half, or two hundred and twenty-five pounds, will be actual meat. Now, if that animal loses weight, say a hundred pounds, that loss does not cause a proportionate diminution of the weight of the horns, hides, hoofs, &c., nor of the bones and sinews; there is a greater proportionate loss of actual meat.

Q. You mean to say that when the animal loses weight, the greater portion of the loss is in the meat?—A. The greater proportion of the loss is in the meat.

Q. Do you think that the loss of weight to an animal, from being shut up twenty-four hours to be slaughtered, would be a loss by which the Indians would suffer?—A. No, sir; I said that if the cattle were driven back and forth some distance to pasture, starting out say at nine o'clock in the morning and returning at five o'clock in the evening, besides its taking an hour or more of the time in traveling each way, which would leave them but four or five hours out of the twenty-four in which to feed, they would in the course of time grow poor; the loss would be largely a loss of meat; and the Indians would suffer by it. Cattle will lose a hundred pounds, in some seasons, pretty readily.

Q. After being driven into the corral, but before being let out?—A. No, while at the agency, waiting to be distributed.

Q. They are not corraled, as a general rule, more than twenty-four hours before they are delivered, are they?—A. O, yes; the contractor sometimes delivers a thousand head at once. There was at one time, I forget how long ago it was, a much larger lot than that delivered at this agency.

Q. But the agent keeps them out on the prairie as long as he can, does he not?—A. He keeps them out only long enough to reduce the herd to such a size that he can get them into the corral at night.

Q. Is not this the custom, that a contractor brings in his herd of cattle, and keeps them at some distance from the agency, where they can be fed, and once a week brings in as many as is sufficient to supply rations for that week; and that those cattle are driven into the corral, weighed out, and delivered to the Indians?—A. Sometimes the contractor sends in a great many more cattle than are sufficient to supply the Indians with rations for a week.

Q. That is what the contract calls for, that the cattle shall be kept "within a convenient distance."—A. Yes; but it does not say for whose convenience, the contractor's or the government's. At the Pawnee Agency——

Q. We are not investigating the Pawnee Agency. We are talking about the Arapahoe and Cheyenne Agency; is it not the fact that at that agency the contractor keeps his herd of cattle at such a distance from the agency as enables him to afford them pasturage, and that once a week he brings in enough to supply a week's rations to the Indians, and that they are put into the corral and divided out?—A. They are not generally brought in as often as once a week; they are issued once a week; the agent sends a notice to the contractor as to how many cattle to bring in, and when to bring them.

Q. Suppose the contractor has to drive the cattle in ten miles, from the place of feeding to the agency, will that cause them to shrink in weight?—A. Not in weight of flesh; but they are driven more than that, at times.

Q. Suppose they are driven thirty miles, will that cause them to shrink in weight?—A. They are driven more than that sometimes.

Q. But would that cause them to shrink in weight?—A. If driven in a storm, without a chance to feed, it would.

Q. In your judgment, would that cause a loss to the Indians?—A. If the loss in weight included a loss of much flesh it might.

Q. Is not the loss, in fact, in favor of the Indians? Is not the loss a loss of the contents of the stomach and bowels, and not a loss in the weight of the meat?—A. No; it is not so. So far as regards their being kept in the corral for twenty-four hours, if they had been well fed immediately previous to being put in, the loss would be a loss of the contents of the bowels, and so far the advantage would be in favor of the Indians; but when they are driven as they frequently are for a distance of from sixty to seventy miles—especially in the winter season, perhaps with a light snow on the ground and they fall away in flesh, the loss of weight causes a larger proportionate loss of meat to the Indians.

Q. Then it seems that we Iowa people are laboring under a mistake; when we buy a lot of cattle for shipping, we require them to be kept for forty-eight hours without food or water; that is supposed to be for the benefit of the buyer; are we in error about that?—A. That is for the benefit of the buyer in a money making way. I am speaking of the amount of beef which the Indian gets out of the animal. The Indian always has the advantage, if he has so much delivered in gross weight of getting rid of the refuse by their being kept twelve hours in the corral before being accepted by the agent; that is a customary thing, the contracts are made including that arrangement; and if these cattle are driven from sixty to seventy-five miles besides, so that they lose not only the contents of the stomach and bowels, but actually become much leaner in flesh, that causes a loss to the Indian.

Q. Let us suppose a case: suppose we take a steer that will weigh eight hundred pounds out in the pasture, if he were to be turned over to the Indian there he would be turned over at four hundred pounds net; the Indian would get four hundred pounds. Now, suppose that the steer is driven into the corral from a considerable distance, so that instead of weighing eight hundred pounds he weighs but seven hundred; he is then turned over to the Indians at three hundred and fifty pounds, now do you think he does not get as much beef in proportion as if the steer had been turned over to him at four hundred pounds out on the range. If by driving and corralling for twelve hours the steer loses a hundred pounds so that the steer is turned over to the Indian at three hundred and fifty pounds instead of four hundred pounds, is that a disadvantage to the Indian?—A. Certainly that is a disadvantage to the Indian, if the animal has not been deprived of food and water.

Q What difference in weight would result from remaining in the corral without food for twelve hours?—A. I should think it would be about thirty pounds.

Q. Did I understand you to say that at certain seasons of the year Texas cattle would not make fifty per cent. net?—A. They will not.

Q. At what season of the year do you think that is the case?—A. Whenever there is snow on the ground, during the winter and in the spring till April.

Q. Then the pasture becomes good, and from that time on until the sture gets poor again the cattle are gaining all the time are they not? A. Yes, sir.

Q. In the winter time the pasturage is not so good as in the spring, mmer, and fall?—A. It is not so good.

Q. Do you remember at what time these Northern Cheyennes left eir agency?—A. They left September 9, 1878.

Q. Then the cattle that had been turned out to them during the irty or sixty days preceding that time had the benefit of the improved sturage of summer?—A. They would be likely to be in fair condition less they had been kept in the agency corral many successive nights.

Q. The corral is a high inclosure with no food or water inside of it; you mean to say that it is the custom of the agent to keep his cattle ut up there for days or weeks?—A. Not at all; but in order to keep ttle in good condition they must be kept on their range day and ght.

Q. I understand that; but do you mean to be understood that he ha-ually keeps them in the corral instead of on the range where they n get food?—A. No, sir; he has them driven out every day.

Q. Every day? How often do they distribute rations?—A. Once a ek.

By Mr. DAWES:

Q. You mean they are shut up in the corral nights?—A. They are the corral about two-thirds of the twenty-four hours, and a large pro-rtion of the remaining third is spent in traveling to and from the ace where they are to find their food, such as it is.

Q. Once in the corral, are the cattle ever let out until this distribu-n?—A. That depends upon their number; different numbers are de-ered by the contractor to the agent, at different times, and the agent y use them all for a week's supply, or he may have enough for three eks' supplies.

By the CHAIRMAN:

Q. What is the usual practice? How many does the agent customa-r receive from the contractor?—A. Sometimes enough for one week's pply, sometimes for two weeks', sometimes for three weeks; I have own of the agents having thirteen hundred head of cattle on hand at e time.

Q. For thirty or sixty days before those Indians left they had been eiving beef that had had the advantage of the good summer pastur-e, from spring up to that time; is that not so?—A. Yes; their beef y have been of the best quality for those two months, but that is not e point I——

Q. That is *my* point—that during the thirty or sixty days preceding e time when those Indians left this agency things were going on in their gular order, and they were receiving beef at its best?—A. I should r as good as they will ever get probably, and yet it may not have been, this reason: the fiscal year ends June 30th, and at that time the con-ctors deliver all that they are to deliver on their yearly contract; if u call upon them for any additional delivery it must be done before e end of the fiscal year, in order to be paid for out of the appropria-n for that year; and as the thirty or sixty days which you mention ers July and August, I cannot tell how many cattle were delivered the agent at the end of June and kept by him; there may have been eral hundred. If so, and they were corraled at night, the agent

would have to take care of them, and have them driven to and from pasture daily.

Q. Whether such was the fact or not, you do not know?—A. I do not know.

Q. You do not, in fact, know whether the beef supplied to those Indians at that time was in good condition or in bad condition?—A. No, sir; not without reference to the papers; and if I should see the papers I could only draw an inference therefrom.

Q. If a large number were delivered to the agent before the close of the fiscal year, he would not drive them out every day and in at night, would he? He would keep them out on the prairie, and drive in as many as he wanted each week, would he not?—A. He would drive them out to the feeding-ground every day and in at night, if there were not too many.

Q. At that Arapahoe and Cheyenne agency how far would he have to drive them in order to have good pasturage?—A. As the grass is eaten down probably for some miles around the corral, he would have to drive them some distance: and, beside, the travel to the cattle, the further they would have to go the more time would be consumed in going and coming and less would be left for feeding.

Q. You have been at that agency?—A. I have.

Q. What distance would these cattle have to be driven to reach good pasturage?—A. At that time they were driven about five miles.

Q. Five miles out in the morning and five miles back in the afternoon?—A. Yes, sir.

Q. Would five miles travel in the morning and five miles travel in the afternoon hurt the cattle?—A. I do not think the drive would hurt them if they were driven properly, although it might if they were hurried along.

Q. Do you know whether they were hurried or not?—A. I do not know.

Q. I do not know whether I understand you fully in regard to another matter. Do I understand you to say that in order to comply with the treaty the Indians ought to be supplied with one and a half pounds of beef, without bone?—A. That is not for me to construe; the treaty says "one and a half pounds of beef," and what they are supplied with is what is called merchantable beef.

Q. Do you understand it to be the duty of the agent or of the government to supply them one and a half pounds of beef, without bone?—A. I do not think that has ever been done.

Q. That is not the question; is that what the government is required to do, according to your understanding?—A. I should not construe it so, if I were Commissioner; I would keep in view the fact that the idea of the government is to give the Indians sufficient food to feed them; and the one and a half pounds of meat has always been considered to mean, one and a half pounds of such meat as you may buy in the markets, with bone, gristle, and tendon included.

Q. The theory is this, is it not, that Texas cattle lose one-half in slaughtering?—A. Yes, sir; such as are delivered; of course you can get them in better condition than that; but when they do lose one-half in slaughtering, you cannot get of meat more than one-half the weight of the dressed animal.

Q. I say the theory upon which the department acts is that a Texan steer, slaughtered, loses one-half in the slaughtering?—A. That is the theory.

Q. One-half goes to hide, horns, offal, &c., and the other half is meat? —A. It is what is called merchantable beef.

Q. But you think that is too high a per cent.?—A. I do not think that at the Indian agencies they get that much out of Texan cattle.

Q. How is it with other cattle besides the Texan cattle? Does that rule hold good? In the New York market they buy and sell cattle, not by the gross, but by the estimated net weight, do they not?—A. I understand that they do.

Q. What is the proportion of gross weight to net weight in the New York market?—A. They buy their cattle with a certain percentage allowance; I think it is generally fifty-five or fifty-six per cent.

Q. That is a better grade of cattle than the Texan cattle?—A. Yes; the extra percentage is, I take it, pretty nearly all meat.

Q. Do you know how long it has been customary, in the Indian Department, to distribute beef-cattle at the rate of fifty per cent. of meat to the gross weight?—A. I do not think it has ever been done in any other way.

Q. That is a custom that has prevailed in dealing with all the Indian tribes; that the Indians themselves have been used to for many years? —A. I think it is.

Q. A custom they probably had in view when they were making the treaty?—A. Well, I do not know about that.

Q. If they had been accustomed to this mode—if this had been their basis for years before, in making treaties, or if they knew that other tribes were accustomed to that mode of having their beef distributed to them in the fulfillment of their treaties—would it not be natural to suppose that these Indians had that in view in making this treaty?—A. I do not suppose that the Indians ever knew much about it; I suppose that they accepted the proposition that was made to them very much as Indian agents do who accept the fifteen hundred dollars a year salary offered them by the government for taking charge of an agency. The agents go out among the Indians, and when they get there find that they cannot live upon that sum. The Indian accepts the treaty, and expects to get enough out of it for his support; but when he comes to try it, he finds that he cannot.

Q. It is proper for me to ask whether there is any unpleasant feeling between yourself and Commissioner Hayt?—A. There is.

Q. From what time does that date?—A. From a few days before my resignation was sent in.

Q. Had your resignation been substantially requested before it was sent in?—A. It had not. Mr. Schurz took pains to assure me that my resignation was not requested.

Q. Had you been informed by the Commissioner that your services would cease at a certain time before your resignation was sent in?—A. I had not; he said that he would ask the Secretary to ask for my resignation; but the Secretary did not do so; on the contrary, he assured me that he did not ask for it.

Q. Since that time there had been an unkindly feeling between yourself and the Commissioner?—A. Not such as would affect my evidence.

Q. Of course not. Have you ever been engaged in the cattle business yourself?—A. I have not.

Q. I think you have already stated, in reply to a question by Senator Dawes, the particulars in which you thought the Indian Bureau failed to do its duty to those Indians; have you stated them all?—A. I have not stated them all.

Q. What else do you desire to add to the shortcomings of the bureau,

beyond what you have already mentioned; in regard to these Indians, I mean?—A. The Indian Bureau did not take into consideration the fact that these Indians had been unsuccessful in their hunting expedition of the winter previous; that in the summer they were dissuaded from going on a hunt by the assurance that they would find nothing; that it was obvious that the appropriation would not pay for the necessary supplies, and that measures were not taken to have supplies furnished.

Q. Outside of the appropriation?—A. There were other funds which could have been used. Another particular in which the bureau failed to do its duty was in not attending to requests from the agency for medicines; and when the medicines were sent, the quality was so trifling as to be of very little account. They were delayed for months.

Q. Are you through with your statements of the failure or negligence of the Indian Bureau as connected with these Indians?—A. I think flour should have been bought to supply these Indians until their supplies under the new appropriation could be furnished.

Q. I asked whether you were through with your statement of the particulars in which the Indian Bureau had failed in its duty toward these Indians.

By Mr. MORGAN:

Q. Do you know of any injustice done them in connection with the matter of annuity goods?—A. I do not.

By the CHAIRMAN:

Q. If you are through specifying what the Indian Bureau should have done, but did not, now go on and state what you would have done had you been at the head of that bureau.—A. I would have paid attention to the letters of the agent, and would have seen that the Indians had sufficient rations to make good the deficiency that I knew must exist because of their not being successful in hunting. The total rations furnished were not sufficient to feed them more than two-thirds to three-fourths of the year. If they do not hunt they must be fed during most of the time, until they become able to support themselves.

Q. Had the Commissioner the authority to make purchases after the appropriation had been exhausted?—A. There are funds which are available in case of necessity.

Q. What funds?—A. Any surplus from the Wichita or Kiowa Agency can be applied to that purpose.

Q. To the support of the Indians at this Cheyenne and Arapahoe Agency?—A. Yes; and furthermore, the civilization fund is both available and ample.

Q. Was there any surplus from that source which you first named at that time?—A. I would have to look at the papers in order to answer that.

Q. If there were not any surplus from those sources, what, then, would you have done?—A. I would have done another thing from the start—which, however, I do not think the Commissioner could have done; I would have bought supplies, regardless of the appropriation, rather than that the Indians should starve; but this Commissioner could not do that, for parties refuse to take open-market vouchers while he is in the office, because they have been so badly treated; they will take them only at an advance of from 25 to 30 per cent. upon their usual prices in some parts of the country.

Q. Have you yourself made propositions of that kind, to furnish supplies?—A. I have not.

Q. Then your knowledge on this point is derived from information from other persons, is it not?—A. On this point it is.

The witness said that as a question had been asked which tended to fix a stigma upon him by insinuating that he had been dismissed from the position he formerly occupied in the Indian Bureau, he requested to be allowed to present and to have incorporated into the evidence his letter of resignation, and the complimentary letter of Secretary Schurz in reply. This request was granted. (See Appendix.)

The CHAIRMAN. The question was asked, not to put a stigma upon the witness, but to explain the state of feeling between him and the Commissioner; it is a question which it is always proper to ask, in any case, to see if it has any bearing upon or can in any way explain the testimony. And now I want to ask whether the refusal to pay or the delay in paying for those open-market purchases arises in the Indian Bureau, or in the Treasury Department?—A. I should say that it arises in the Indian Bureau. The way in which creditors have been treated generally in that office has been shameful; there is such a prejudice against the office that men will not sell it anything, in certain parts of the country, unless they can get a great deal more price than they would ask if they were selling to any one else.

Q. Do you mean that they dislike the Commissioner so much that they will not sell him anything except above the market price?—A. I mean they have been maltreated, and given so much trouble when trying to get their pay, that they want nothing more to do with the bureau as at present administered, unless at prices so high as to afford them profit enough to compensate for the trouble they will be put to in getting their pay, if they ever do get it.

Q. Does that apply to this particular agency, so far as you know?—A. There were goods sold in an emergency, at this very agency, that were not paid for in some years; in fact, I don't know whether they are settled for yet or not.

Q. When was that; during the administration of the present Commissioner?—A. The goods were purchased before this Commissioner came in, but were not paid for until a good while after he came in, if they have been paid for at all. The agent urged and urged the payment for cattle which were bought when the Indians at that agency were actually in a starving condition. He had to go out and threaten that he would seize cattle to feed those Indians with; and he forced men to sell him their cattle.

Q. When was that?—A. That was before this Commissioner came in.

Q. How long before?—A. I think it was about two years before; but when I resigned and left the office the vouchers had not been paid, and I very much doubt whether they have been paid to this day; they laid a long time after he came in, without attention.

Q. In the statement with which you began your testimony, you quoted from some reports of the Commissioner of Indian Affairs; did you make up and hand him—the Commissioner—the figures on which that report was based?—A. I wrote some portions of that report; I do not know that I can now state how much of it; I know I made up that statement, and made it up net beef; calculated in that way the amount came out short; it came out so as to show that those Indians had not had the amount of food to which they were entitled; he changed that, and made it beef gross, which seemed to show that they had had all that they were entitled to.

Q. I do not understand your meaning?—A. I made up that statement in the Commissioner's report, so many pounds of beef, and put the

pounds down net beef—net merchantable beef; that showed a deficit, that the Indians had not received the amount promised them by the treaty. It was discovered that by calling it gross beef, and doubling the figures, the doubling increased one side a great many more pounds than it did the other side—as you will see by comparing the table of supplies which the Commissioner fixed up and had inserted in his report (and which I have already read to you), with the correct statement which I furnished him, and which I have also furnished you (near the beginning of the testimony), in order that you might compare it with that fixed up by the Commissioner. When the Commissioner saw that by making it beef gross he could make it appear that these Indians had received their full supply, he directed that it should be made gross in that account; and it was made gross, and showed a surplus. But that surplus was in reality a surplus of hides, horns, and refuse. In this evasive way he furnishes a basis for his assertion that "this statement disposes of all the clamor that has been current during the year that these Indians did not receive rations to the amount to which they were entitled under the treaty."

Q. You furnished the figures as net beef, you say?—A. I did.

Q. In ascertaining the amount net, how did you reckon?—A. Why, I took the number of the Indians to be fed and the number of days they were to be fed and multiplied them together, and then multiplied the product by one and a half pounds.

Q. And he required it to be made gross; that is, twice the quantity?—A. He did.

By Mr. DAWES:

Q. After you had made out that statement and shown it to him?—A. Yes.

By the CHAIRMAN:

Q. Did you make any change in the figures except to substitute three pounds for a pound and a half?—A. Yes; the doubling affected one side a great deal more than it did the other. There is, also, a letter of the Commissioner's which——

Q. Never mind about the letter. I am referring now to the extract which you made from his report. The question is, whether you yourself prepared that report for his signature?—A. No; not the whole report. I understood you to ask me about that schedule. I cannot now say how much of the report I prepared.

Q. What I want to get at is this: You made a statement in which you calculated for a certain number of pounds of beef, counting one and a half pounds to the Indian?—A. I did.

Q. He required that to be changed so as to count three pounds to the Indian?—A. He did.

Q. That is, he required it to be in gross instead of net?—A. Yes; that is it.

Q. Is that all the change he made; did he alter the figures in any other way than that?—A. Not that I remember.

Q. Then, if the theory be true that three pounds gross is equal to one and a half pounds net, the change resulted in no prejudice to the Indians, did it?—A. Certainly it did.

Q. How please explain?—A. The gross weight makes a difference in the calculation, as you can see for yourself by the two tables I have already placed before you, of 215,368 pounds.

Q. Let us see about that: Suppose a thousand Indians are entitled

ch to one and a half pounds net per day; you made your report upon at basis?—A. Yes.
Q. The Commissioner required you to change the figures so as to show at the Indians were entitled each to three pounds gross per day?—A. s.
Q. Now, how can that deprive any Indian of his pound and a half of ef per day *if* three pounds gross will furnish one and a half pounds ?—A. The table is made up so as to show that, notwithstanding the lians did not receive the rations to which they were entitled, they did eive a surplus of beef. Now, if, when fifteen hundred pounds were e them and there were dealt out to them two thousand pounds, I am d to double these figures, and I do so, putting on the one side three usand pounds and on the other side four thousand pounds; in the ter case there is a difference of a thousand pounds, while in the former e there is a difference of but five hundred pounds. In just that way, this calculation, the Commissioner has doubled the real surplus of ef, and so converted an actual deficiency of over a hundred thousand unds of food into an apparent surplus of over fifty thousand pounds.
Q. You claim, if I understand you, that the excess of beef was arged over against the other rations at three pounds instead of one d a half pounds, and that that excess, instead of being food, half of it nsists of hides and horns and refuse, so that there is really a deficit, tead of a surplus, as appears by the Commissioner's statement.—A. s, sir; that is it.

By Mr. DAWES:

Q. Did you say, when these two forms of statement were presented you to the Commissioner, he directed you to embody the gross ight, instead of the net weight, in that table?—A. Yes; and the ne thing is done in that letter which I referred to; the same figuring ll be found in criticism by the Commissioner of one of Major Miz- r's reports.

By the CHAIRMAN:

Q. We will investigate this matter first. Did you make up that state- nt originally, or did Mr. Arthur make up the statement originally, d hand it to you?—A. I cannot say as to that; I may have written myself, or may have laid it out for him to write.
Q. Did you leave a copy of the statement written by you in your swer?—A. No, sir, not that I am aware of; probably I did in the ice, in some place. The statement went in its natural course to the rty who made up the Commissioner's report. It must be among the ginal papers of this report. There is a table here, by Major Mizner, o states that the rations furnished to the Chayenne and Arapahoe dians were not sufficient, and he gives the figures to prove it.
Mr. PLUMB. We are not trying the question of veracity between Mr. yt and Mr. Leeds; nor is it necessary to the purpose of this investi- tion to show who made up those figures—a clerk in the office or Mr. yt himself. If we try Mr. Hayt, it will be on the report that he has t out. The question as to whether he, or Mr. Leeds, or Mr. Voor- es, or anybody else made up that table occurs to me to be imma- ial.
Mr. DAWES. We spent considerable time out West over the discrep- cy between the figures of Major Mizner and the Commissioner. Now, the first time, we have this explanation, in substance, that the mmissioner made his calculations upon a basis of three pounds gross,

when he ought to have taken a pound and a half net. Our examination of Mr. Leeds to day has resulted in that benefit.

By Mr. MORGAN:

Q. I would ask whether the term "merchantable beef," as used in the Indian Bureau, has any reference to the quality of the beef at all? Would you consider beef as being "merchantable beef," within the sense and meaning of the Indian Bureau, if it was very poor—very thin?—A. What we call "merchantable beef" is simply another name for one-half of the gross animal. But I have known the Indians to be supplied, in former years at least, with some animals that would not be merchantable here, nor in any city market; in fact, the animals themselves would not have been salable—would have been what we call "scalawags." But the animals now furnished the Indians are generally of a better class, and the beef is better. The contractors manage to put in always the poorest, cheapest animals they can get. They have to have an average weight. An eight hundred and fifty pound animal, in nice condition, would be very good; but if you should put in some small ones and some large bony ones, the average of the beef might be very poor.

Q. Was this report made up for the purpose of estimating the amount of money to be appropriated by Congress to supply the Indians during the fiscal year, or is it a report of expenditures that had already been made?—A. It was not a report for either of those purposes, particularly; it is the annual report of the Commissioner to the Secretary of the Interior.

Q. Made at the close of the year?—A. Yes; at the close of the fiscal year.

Q. After the beef had been issued and a report of the issues had been made to the department?—A. Yes.

Q. I wish to ask you whether, in making up those figures that were furnished to the Commissioner of Indian Affairs, you took the data which had been furnished by the Indian agent in reference to the Cheyenne and Arapahoe Indians?—A. I did.

Q. Were those figures furnished with reference to net beef or to beef in gross?—A. I cannot say whether it was gross or net.

Q. You cannot say which?—A. No; the agents send it in both ways; I have sometimes seen it one way and sometimes the other.

Q. Suppose that this agent had sent it in gross—three pounds gross instead of one and a half pounds net—why would you have furnished the figures to the Commissioner at one and a half pounds instead of three pounds?—A. Because it is one and a half pounds, and not three, that the Indians get, or should get.

Q. I want to know whether that is your assumption, or the actual figures furnished by the Indian Agent; whether the figures which you say were altered by the Commissioner were extracted from the reports of the Indian Agent; and whether his reports said one and a half pounds or three pounds?—A. I think it very probable he sometimes put it one way and sometimes the other.

Q. Then you had no authority for laying it before the Commissioner as net beef except your own assumption?—A. That one and a half pounds net of beef is the legal ration for Indians is not an assumption, it is a fact.

By Mr. DAWES:

Q. I want to know about this term "merchantable beef" and the

term "net." Are not the terms "gross" and "net" the terms that distinguish between the live animal and dressed beef?—A. They are.

Q. And "merchantable beef"?—A. That is the same as "net" beef.

Q. Does it not refer to the *quality* of the net beef rather than to the fact of its being net?—A. Not in the Indian Bureau.

Q. When the Indian Bureau calls for "merchantable beef" it does not refer to the quality of the article, but to the fact of its being dressed beef?—A. In the Indian Bureau the terms "merchantable beef" and "net beef" are interchangeable.

Q. In the market is there not such a thing as "net beef" of different qualities, which may be distinguished as "merchantable" and "unmerchantable?—A. So I understand it.

Q. Then when you say "merchantable beef," you mean dressed beef of the first quality?—A. No; not necessarily of the first quality.

Q. "Net" and "gross" describe the difference between the two articles?—A. They do.

Q. And "merchantable" describes the quality—whether it is a good article or not?—A. We don't use it thus in the Indian Bureau.

Q. Now, about this corralling; does not the corral terminate in a long "chute," into which the cattle go at last in single file, and at the end, where the last steer stands, are the scales?—A. The scales are on the passage toward the end of the chute.

Q. Well, *near* the end?—A. Yes; near the end of it.

Q. At least, there stands the steer on a pair of scales. Is not that the spot where the contractor delivers the steer to the government?—A. On the scale—that is the spot.

Q. And when a sufficient number of cattle for the week's ration is weighed and delivered, what remain are still in the custody of the contractor, and are turned out and provided for by him until the next week's rations are issued?—A. O, no; not usually.

Q. Then you understand that they are delivered to the Indian agent *before* they are weighed there?—A. No; they are driven into the corral, as you have described, and weighed out and delivered by the contractor to the government from that scale; but the issue to the Indians may *not* take place at that time.

Q. Is not the issue to the Indians then and there?—A. It may be at times, but it is not often that every head of a lot of cattle delivered to the agent is issued to the Indians immediately after its receipt by the agent.

Q. Are they turned out into the grass lot to feed again *after* being weighed?—A. Yes, generally; at least part of the delivery.

Q. But by feeding after weighing they will change in weight; some will gain more, some less, and some will die; then how can they be delivered to the Indians at a basis of twenty-one pounds a week?—A. The cattle are brought to the agency and left outside the corral; the inspector looks over them, and designates those which he wants cut out; those are cut out—they are the rejected ones; then such as are accepted are put into the corral, and passed over the scales and weighed; at times they are delivered directly to the Indians there and then; at other times they are not; the contractor may arrive with his cattle on Tuesday or Wednesday, when the issue to the Indians is not to take place until the next Monday, five or six days ahead; then after being weighed the cattle are turned into a promiscuous yard and kept, being driven out to grass in the morning and back in the afternoon, as I have described, until issue day to the Indians does come.

Q. If the cattle are not then and there delivered to the Indians, but

are turned out into a promiscuous yard, how is it possible to deliver a 750 pound steer to the number of Indians that 750 divided by 21 will entitle to that steer?—A. You can do it at any time.

Q. Well, *how* can you do it; each individual Indian, man, woman, and child is entitled to twenty-one pounds gross of beef each week, is he not?—A. Yes; or ten and a half pounds of net beef.

Q. If the steer is turned out after weighing, to feed, so that he may increase or decrease in weight, or gets mixed up with the rest of the herd, how can the agent know that he is delivering to the Indians a 750-pound steer?—A. They are supposed to be weighed again, when dealt out to the Indians.

Q. By that you mean they are *supposed* to be, but are not?—A. Not always.

Q. Then how do you get along?—A. A man who is used to it, at an Indian agency, can guess within thirty pounds of the weight of a Texas animal, if he is not in a hurry; there are so many Indians in the band; if there are thirty-five Indians in a band, and they are entitled to three pounds gross a day, or twenty-one pounds gross a week, that makes 735 pounds due to that band, and he must find a steer and deliver to them, one that will weigh 735 pounds. If there be only such as weigh more than that, he must deliver to them a larger steer and give them a surplus. Then some other band must suffer a slight deficiency. He will try and make the bands larger, and bring them as near as he can to conform to the weights of the steers; but, the best he can do, there will be a surplus for some and a deficiency for others.

Q. Have you ever been present at the delivery of these cattle to the Indians?—A. I have.

Q. At the Cheyenne Agency?—A. Yes.

Q. And you say it is done there in this way?—A. I do not say that that is *always* the way.

Q. Have you ever seen it done in any other way at this Cheyenne Agency?—A. I think so; I think I have seen cattle delivered to the Indians at that agency by a general guess at the weight; but I may have got it confused with other agencies, so I will not be certain.

Q. Do you think that so far as Agent Miles has stated it to us on the ground, he is mistaken?—A. Agent Miles may have been cautioned and notified so that he may adhere strictly to the regulations, as near as he can. It is impossible to feed every Indian his fair proportion.

Q. What I want to get at is, at what point the cattle are delivered to the agency, so that the ownership passes; so that the contractor has fulfilled, *pro tanto*, the terms of his contract.—A. The agent is bound to look out that the contractor brings enough for the Indians; he sends the contractor word, two or three weeks beforehand, "I shall want so many cattle, at such a time." The contractor then has to get them together, and drive them to the agency; he may arrive there the day after an issue to the Indians, who do not assemble again until a week later: the contractor delivers his cattle; there he is; there are his cattle; and the agent takes them.

Q. Is there any possibility for the agent to determine what he accepts until the cattle have been weighed?—A. He cannot do it.

Q. They are not weighed until they are put into the corral?—A. They are put into the corral first.

Q. Are they weighed and turned back again?—A. Yes, sometimes; at least a part of them.

Q. And then are delivered to the Indians by estimate, and not by actual weight?—A. I have seen them delivered by estimate; but Agent

Miles has followed up pretty close; and what he does now I cannot say.

Q. What position did you say you occupied in the Indian Bureau when you resigned?—A. I was chief clerk; I was Acting Commissioner for about one-half the time—at least for a good part of the time—Mr. Hayt was away.

Q. When you were Acting Commissioner, were you responsible for the orders of the Indian Bureau personally, the same as the Commissioner?—A. The law says so, but it is a doubtful position.

Q. Did you institute any changes in the administration of any of these details while you were Acting Commissioner half the time?—A. Before I was Acting Commissioner——

Q. I say, *while* you were Acting Commissioner—while you had all the power which the Commissioner has for the time?—A. I was a clerk at Mr. Hayt's elbow; I went there with the understanding that I was to be the chief clerk and Acting Commissioner in his absence, but it was some months before that came about. I did institute various changes; I think you will find that three-fourths or four-fifths of all the instructions sent out during that time were made out by me. I made a new form of beef contract, which is worth a great deal of money to the government.

By the CHAIRMAN:

Q. Did any of these troubles that existed with the Cheyenne Indians come before the department when you were Acting Commissioner?—They did.

Q. Did you do, then, what you thought should be done to correct the troubles?—A. That is where the difficulty comes in. I would like to explain right here regarding that matter. Complaints would come in regard to various things, and I would take the letter into Mr. Hayt——

Q. I mean while you were Acting Commissioner?—A. I was Acting Commissioner only while Mr. Hayt was absent. There were a good many things that I could not do, that it was not my place to do, when he was to be back in a day or two, such as furnishing supplies or making any changes in the general management of the office. My doing what was legal, and proper, and just, in every way, something it was very stupid not to have done before, was just the trouble that Mr. Hayt found with me. I would take a matter to Mr. Hayt and call his attention to it, and say, "Mr. Hayt, this is important; it should be attended to at once"; and instead of paying any attention to it, the next minute he would be writing a telegram to New York; my greatest efforts to get him to attend to the matter would have no more effect than a drop of water on a hot stove. At one time, I remember, there had been a collection of letters for several weeks, and just as he was going to New York he came and laid a large pile on my desk for me to attend to; I had gone all over most of them once, and I now had to go over all of them again. At one time an immense accumulation of letters was sent down to the files room.

By Mr. PLUMB:

Q. Do you mean to say that, by a rule of the office, while Mr. Hayt is absent you are prohibited from doing these things?—A. The complaint was not that I failed to do my duty in any respect; the complaint was that I did more than I ought to have done.

Q. What I meant to ask you was whether you were prohibited from going ahead and making whatever improvements for the benefit of the service you chose, or did he, in substance, or otherwise, request you to

leave such things till he came back?—A. He said that he would see to such things when he came back; I, as Acting Commissioner, could not be supposed to go contrary to his wishes.

Q. Who was responsible for the acts of the office when you were Acting Commissioner?—A. The Commissioner was responsible, although the Acting Commissioner is responsible to the Commissioner. The condition of things is such that an Acting Commissioner cannot act on his own judgment. I did all that I could do; but there were things that I could not do; things that I would consider proper to be done, but that I would not consider it proper for me to do, nor would he consider it proper for me to do them when he was absent, to be gone for only a day or two or a few days, intending to return and take charge of affairs in the office until he went away again. It was not my place to institute any general change in the policy of the office, under any circumstances.

Q. For how much of the time during the summer of 1878 was Mr. Hayt absent?—A. During the time I was in the office——

Q. Answer the question as to the year 1878?—A. I should say at least three working days in the week.

Q. That is one-half of the time?—A. Yes.

Q. Would he be gone all of any one week, or a portion of every week?—A. About every week he was away somewhere.

Q. Was he absent in that way for portions of every week, or a large part of the time, until you left the office?—A. About a couple of months before I went out he was there a little more frequently, a larger portion of the time than before.

By the CHAIRMAN:

Q. When did you go out of the office?—A. About the 22d of January, 1879.

By Mr. DAWES:

Q. For how long a time, at any one time, was the Commissioner absent?—A. He would be absent only two or three days, generally, except when he was off on a trip to the Indian Territory.

Q. When you were Acting Commissioner did you institute any changes in the policy or method of the office?—A. I did; all the time.

Q. Were you corrected or rebuked for it by the Commissioner on his return?—A. I do not remember any particular thing except this difficulty which we had——

Q. I mean, were you forbidden to make any change of policy; were you instructed or advised to make no change in the policy or methods of the office?—A. The methods I did introduce were submitted to him.

Q. Were they adopted by him, or were they rejected by him?—A. They were generally adopted.

Q. Then no trouble arose between you and the Commissioner on that question?—A. No.

Q. If all the suggestions you made were adopted, and you were not corrected for making them, why did you not make all that occurred to you?—A. Simply because I was overburdened with business.

Q. So far as you were able to suggest them, you did, and so far as you did suggest them, they were adopted; is that so?—A. Generally; I can find one or two exceptions. I spent the first five months I was there from half-past eight in the morning until eleven or twelve at night in the office. For the next five months two hours, perhaps, short of that. After that I found myself forced to make office hours, as far as possible.

But the days when Mr. Hayt was there business dragged, and rendered it necessary for me to stay there one or two hours longer. Mr. Hayt was a positive obstruction to business. When I first came there he said "I can do all the business of this office with ten good clerks." By the end of the year he asked Congress for ten more, and now has them.

By the CHAIRMAN:

Q. When was your first connection with the Indian Bureau?—A. In the fall of 1876.

Q. In what capacity?—A. I went out as an inspector of Indian agencies for the Board of Indian Commissioners.

Q. Was that the time when you went to the Arapahoe and Cheyenne Agency?—A. It was.

Q. How long were you there?—A. It must have been three weeks, possibly four.

Q. How many agencies did you visit altogether?—A. Five agencies.

Q. You say you were some three or four weeks at this particular agency?—A. Yes, sir.

Q. Did you make your report of the condition of these agencies in writing?—A. I did.

Q. To whom?—A. To the Board of Indian Commissioners.

Q. Is your report on file in the Indian Department, do you know?—A. I do not know; I think not. The Board of Indian Commissioners had some dissension among themselves, and I do not know what they did with my report.

Q. You do not know whether it is on file in the Indian Office or not?—A. I do not. There was some difficulty between Commissioner Smith and the board. Mr. Hayt was dropped from the Board of Indian Commissioners by General Grant. He was requested to resign at the instance of Secretary Chandler. It was just about that time that I made my report, and what was done with the report after Mr. Hayt went out I do not know.

Q. Did you ever see it after you became connected directly with the bureau?—A. I do not remember having seen it since.

Q. You do not know where it is?—A. I do not.

Commissioner Hayt, who was present, requested an opportunity to to ask a few questions, or to have witnesses examined in self-defense.

Mr. Plumb objected to the introduction of any evidence tending to show that Mr. Hayt was or was not an efficient officer; and said he should move to strike out such portion of the evidence already taken as bore upon that point and had no reference to this Northern Cheyenne Indian matter. This committee were not trying Mr. Hayt, nor was it its duty to settle any question of veracity between the two.

The chairman said so far as anything had been said by the witness reflecting upon Mr. Hayt in his official capacity in this particular matter, it would be but fair that Mr. Hayt should be heard on the other side.

By Mr. DAWES:

Q. Was your visit to the Arapahoe and Cheyenne Agency before or after Mr. Hayt became Commissioner?—A. Before.

Q. While he was on the Board of Indian Commissioners?—A. It was during that time.

Q. How long were you chief clerk in the Indian Bureau?—A. I was sixteen months in the office; I was chief clerk—I do not remember exactly; it was between ten and eleven months.

Q. Have you ever sustained any other relation to the Indian service

except what you have related as inspector for the Indian Board?—A. That is all.

Q. What was your business before that?—A. I had been in the foreign commission business.

Q. Where do you reside?—A. In New York.

Q. Had you previously any personal contact with Indian life?—A. No, sir.

EZRA A. HAYT.

WASHINGTON, D. C., *January* 28, 1880.

Hon. EZRA A. HAYT, Commissioner of Indian Affairs, sworn and examined.

The CHAIRMAN. Mr. Hayt, you have read the evidence so far as it has been printed, and was present at the last meeting of the committee and heard Mr. Leeds' testimony; we should be glad to have you make any statement that may explain, or correct, or throw any light upon any portion of the evidence. The only purpose the committee have in view is to gain all the information possible in regard to these Northern Cheyenne Indians.

Mr. HAYT. I would like to refer to one matter very briefly—a little personal matter—and if you see fit afterward you can strike it out of the testimony. When I was here the other day the question was asked Mr. Leeds what he would have done, had he been at the head of the Indian Bureau, different from what was done under the circumstances. His answer was, if I remember rightly, that he would have bought flour and sent them, even if there had been no appropriation. That, of course, it would have been unlawful to do. But now I will state to you a fact from which you can draw your own inference.

I went to New York City on the 15th of June, 1878, to open bids for supplies, merchandise, and annuities for that year. The 15th of June, if I remember rightly, was Saturday. Mr. Leeds began to serve as Acting Commissioner, signing himself as such. He continued to do so from the 17th to the 26th, inclusive, ten days consecutively. Then I returned to Washington, and remained here for two or three days, preparing instructions for the Stanley commission, that was just about leaving for the Red Cloud and Spotted Tail Agencies. Then, at the request of the Secretary of the Interior, I accompanied that expedition. I was then absent all of July until the 21st. Bear in mind that I was absent during all of June after the 17th except two or three days, and all of July until the 21st. I was here on the 21st, but from the 21st to the 27th Mr. Leeds was Acting Commissioner, and again on the 30th. He was also Acting Commissioner almost continuously from the 1st to the 17th of August. And during this time Mr. Leeds had not only unlimited opportunity, but precisely the same power as myself to supply those Indians with flour or medicines. More than that, it was during the time that he was acting that flour should have been furnished to these Indians; and if there was any neglect, it is very clear that it was *his own* neglect, because he was in a position to act. What I have said in regard to flour relates equally to medicines.

By Mr. MORGAN:

Question. What is the rule or practice of the bureau as to the jurisdiction of the Acting Commissioner when the Commissioner is absent?

ıswer. The Acting Commissioner has the same power as the Com-
.oner, except that he cannot override any decision previously made
ıe Commissioner. In this case he had all the power necessary to
le him to supply these Indians with the food and medicine they
)d—all the power I myself possessed.
On all open questions he had the same power as the Commissioner
l have had if he had been here?—A. Yes, sir.
) CHAIRMAN. If that point is disposed of, go on and make a con-
ıs statement, such as you may desire.
TNESS. Have you the paper which I brought here at the last
ng of the committee, containing a tabular statement from the
y? [The paper was handed the witness.] I was not clear in my
nind whether Mr. Leeds, in his testimony in regard to incorrect
s, referred to the figures in this statement, or to those in my
ıl report.
MORGAN. I think you will remember that he said he took that
nent from Major Mizner's letter.
TNESS. I will refer to both, so that you can see how the matter
s. This statement, on the 23d page of the Report of the Commis-
· of Indian Affairs for 1878, you are all probably by this time
ar with. It states that there were distributed to the Northern
:nnes 1,475,320 pounds of supplies—which was considerably in
s of the treaty requirements. *This* statement, made by Agent
and sent to Washington, and which I left with the committee
I was here at its last meeting, I have had carefully compared with
)rinted in my report; and, on comparison, we find actually a differ-
)f less than one per cent. A difference like that might easily grow
f a clerica. error, in a computation as lengthy as this. I have pre-
. here a tabular statement of the differences between the two. You
ee that in reference to some articles Agent Miles's statement of the
nt supplied is a little greater than mine, in others a little less;
et result is a difference of less than one per cent.

By Mr. DAWES:

Can you tell us how much in pounds?—A. About fourteen thou-
pounds in the aggregate; to be exact, 14,458 pounds. The Com-
)ner's report shows very slightly the largest amount of supplies,
)t in the single article of flour, in which Agent Miles's report
s the largest supply by 844 pounds. Here is the comparison, in
:

Articles supplied.	Commissioner's report.	Agent Miles's report.	Difference.
ınds	1,242,208	1,230,569	11,639
nd lard	20 016	19,800	216
	157,060	157,904	*844
	18,190	15,768	2,422
	10,425	10,062	363
	20,950	20,532	418
	2,272	2,258	14
	2,297	2,297	.....
	14	.....	14
	994	793	201
powder	894	878	16
	1,475,320	1,460,861	14,458

*In this case Agent Miles's report states a larger supply than the Commissioner's report.

number of Indians *stated* by the Commissioner's report is 860.

The number of Indians by Agent Miles's report is 867—the time of each being the same, viz, from August 5, 1877, to September 7, 1878.

I would say in regard to the published statement in the form of a letter to the Secretary of the Interior, dated the 16th of November, 1878, that this was prepared almost entirely by Mr. Leeds himself. I may have added one or two paragraphs, but not more than that. This I can substantiate by witnesses, if desired. Therefore, whether it be correct or incorrect, it is his statement. I believe it to be correct. I have never had any reason to doubt its accuracy. There is the original letter [handing it to a member of the committee].

I wish to state in this connection that the appropriations for the Cheyennes and Arapahoes, the Apache, Kiowa, Comanche, and Wichita Indians is and has been insufficient to give them the full amount to which they have been entitled by treaty. That condition of things grows out of this fact: Up to about three years ago these Indians were in the habit of going out to hunt buffalo every winter, sometimes with considerable success. On such occasions the custom was, as I believe was stated to you in the Territory, for the agent to give the Indians two weeks' supply of rations and then issue them no more until their return, the Indians subsisting on what they could get by hunting. In that way an appropriation of a less amount would serve to feed them than would otherwise have been necessary. Why, if you give them an appropriation simply to furnish the treaty ration to these tribes, it would cost for food alone $418,214.63, on the presumption that every Indian is at the agency and draws rations regularly. There are 5,496 Cheyennes and Arapahoes, and 4,117 Apaches, Kiowas, Comanches, and Wichitas.

By Mr. MORGAN:

Q. The estimate and appropriations for the Indians of the tribes you have named are made in bulk, a single appropriation for them all, I understand?—A. Yes, sir.

Q. Not a separate appropriation for each tribe?—A. No, sir; and the reason of this I will explain to you. The Wichitas and some of the Kiowas and Comanches are somewhat disposed to support themselves; and the reason these appropriations are bunched together is so as to enable us to borrow, as it were, and take advantage of any surplus that might be saved on account of the Wichita and other Indians I have named being in part self-supporting. These Indians raise considerable corn, and Indians feed upon corn from the time it gets fit for roasting until they gather it in the fall.

Q. One other question: Have the appropriations for these Indians come up to the requirements or estimates made by the department, or have they been cut down by Congress?—A. O, no, sir; as I said before, until within the last three years a smaller appropriation would suffice, on account of their being absent from the agency for several months in each year on a buffalo hunt.

Q. I asked whether the appropriations have come up to the estimates sent in by the department?—A. No, sir; they have not. The battle on appropriations (if I may use the word in that connection) is fought with the Appropriation Committee of the House; and for two years they have told us this: "Your appropriations for the Indian service must not exceed in the aggregate $4,710,000." They kindly allow us to distribute that in the best manner possible to feed the Indians; if we can save anything anywhere at one point, we are allowed to apply it to another. I have explained to them, and to the Senate committee also, that the appropriation was insufficient, and they made this arrangement of consoli-

ing the appropriations for the various tribes to enable us to borrow
n one point for the benefit of another. It is the hardest work in the
ld to make the appropriations meet the demands. We are between
fires. We have to feed the Indians and we have to do it within our
ted appropriations. But the last appropriation bill, as I have said,
tained a clause which had a beneficial effect in enabling us to eke out
year; it was this, that we might use a surplus of supplies occurring
where among the Indians to apply where there may be a deficiency
upplies. That will give us, I suppose, about two hundred thousand
ars per annum as a sort of floating fund to put around from one
e to another where the demand for the time being is most impera-
.

By Mr. DAWES:

. So, in effect, the whole appropriation is consolidated?—A. Yes,
the whole appropriation is consolidated.

By Mr. MORGAN:

. Does the appropriation which you have just mentioned include
transportation of the supplies?—A. No, sir; the transportation is
parate matter.
. This appropriation is simply for the purchase of food?—A. Yes,

. It represents the cost price of the food?—A. Yes, sir.
. What deficiency did you apply for and obtain, with reference to
se Indians for the fiscal years 1877–'78, and 1878–'79?—A. Owing to
buffalo hunt of the preceding winter the regular appropriation
red our purpose for the fiscal year 1877–'78, because they had nearly
thousand cattle—over seventeen hundred left on hand, which were
ried over and applied on that year. This fact Major Mizner was not
are of, and hence the difference between his office and the Indian
ce. Another difference arose because Major Mizner understood beef
bacon to be required by the treaty, whereas it is beef *or* bacon. It
uires one and a half pounds of beef, or one-half a pound of bacon.
on goes very much farther than beef. There is only one difficulty
ut the substitution of bacon for beef, and that is its tendency to
e the Indians scrofulous; for that reason we do not want to feed
m so large an amount of bacon.
. What is the difference in the cost?—A. As between half a pound
bacon delivered and one and a half pounds of beef delivered, the
f will cost the most. There is another thing, however, in regard to
f; the Indians make use of the entrails—in fact of almost the entire
mal; that which white people throw away is utilized by the Indians.
I know our issues are all made gross weight. We assume, and as
average no doubt it is true, that one and one-half pounds net are
ivalent to three pounds gross.

By Mr. DAWES:

. And that is, in theory, counted as excluding the entrails?—A.
, sir; the Indians have that advantage. I notice that Mr. Leeds kept
ing about "merchantable beef," which is simply absurd. In our
tracts we call for "merchantable" *cattle*; that is the only place to
the word in connection with the Indian supplies.
. The term "merchantable" is used as referring to the *quality* of
beef?—A. Yes, sir; "merchantable" refers to the quality of the
f.
here are some statements contained in the evidence taken by you

while out in the Territory to which I would like to refer. I see that it is stated by Mr. Miles that when he and Little Chief were here in Washington, last spring, some promises were made to Little Chief which have not been fulfilled. That is an error. Mr. Miles says (see p. 86 of the testimony) the Commissioner promised to Little Chief and the members of the party with him "fifty dollars each, also a good suit of clothes; and the Commissioner said he would allow them ten wagons and harness, and some cattle * * * I have never been notified that the cattle and wagons had been purchased," and he afterwards repeats that "the wagons and harness and cattle have never been delivered." As I said before, this is an error. The wagons were sent down to the Territory, and arrived there shortly after your committee left there, and the stock cattle for breeding purposes have been contracted for and will be delivered in June next, which is the usual and proper time for the delivery of such cattle.

On page 76 of the testimony I find the question put by Senator Plumb to Agent Miles, "Have all the Indians who wanted them had agricultural implements furnished them?" To which Agent Miles responds, "Not of all the different kinds; this year there has not been enough; some things there are plenty of, other things not." In relation to that matter I would state that the agricultural implements were sent in accordance with a requisition made by Agent Miles for the purpose.

On the same page the question is asked, "Do you know of any reason why all the flour, sugar, coffee, beef, beans, &c., to which these Indians are entitled, could not have been furnished promptly as required?" To this Agent Miles answers, "I know of no reason further than the one they usually assigned, 'No funds on hand.'" Now as to that I would like to make a statement, confining the statement from the 1st day of July, 1877, and up to the 9th day of September in that year. Agent Miles labors under a misapprehension. The appropriation bill passed that year, if I remember rightly, on the 27th of May, and I think bids for supplies were opened on the 18th day of June. After opening the bids, it requires some days to make the awards, to find out who is the lowest bidder, &c. After that, contracts have to be made and executed, and bonds furnished. This, with the utmost promptness and expedition, would occupy at least a fortnight; and very little could be done toward the purchase of supplies before the 3d, 4th, or 5th of July. And there was, that year, a temporary deficiency in flour, which might have been filled by the Acting Commissioner, if he had bought some flour in open market for a temporary supply. When there is a deficiency in flour, we are by law authorized to increase the beef ration, which is considered equivalent; and the Indians very much prefer beef to flour.

On the same page, I see Senator Plumb asked Agent Miles, "Was the beef good in quality?" To which Agent Miles answered, "Well, it was not grossly bad." I hold that to be an improper answer on the part of the agent, because he certifies, when he receives the beef from the contractor, that it is "good, merchantable beef;" and it ought to correspond with his certificate.

On page 77 I find certain questions asked by Senator Plumb in regard to clothing. I would state here that the Appropriation Committee of the House exercised some discretion over this matter of clothing. Their custom is usually—at least it has been for the last three years—to take the number of Indians, and the average cost of the garments to be distributed, and to make the appropriation so as to cover as nearly as possible that amount. But generally the appropriation is short of what it should be.

Near the bottom of page 77 I find this question asked by Senator Plumb: "Why have you not issued to these Indians the articles mentioned in this treaty, or their equivalent?" To this Agent Miles answers, "Simply because they were not sent to me by the government." To that I would add, "Simply because the appropriations were not sufficient to send any more than were actually sent."

By Mr. MORGAN:

Q. I wish to inquire whether the proper amount of appropriation was estimated for to cover the full treaty requirements in favor of these Indians?

Mr. HAYT. Do you mean for clothing?

Mr. MORGAN. Yes, sir.

Mr. HAYT. I hardly think they were, and for the reason I have mentioned before—that we have been endeavoring to bring our entire appropriation within the $4,710,000 annually, which Congress allows us.

At the bottom of page 78 of the testimony, the last question on the page is this: "Have you delivered to each Northern Cheyenne, who has removed to this reservation and commenced farming, one good cow and one well-broken pair of American oxen, as required by the provisions of the treaty?" To this question Agent Miles answers, "No, sir." Senator Plumb then inquired, "Why not?" and Agent Miles answered, "I have never been advised from the department to do so, and the cows and oxen have never been furnished me by the department so that I could do so." In regard to that I would say, in the first place, that the agent would have to advise the bureau that he had some Indians, who were about to commence farming, and desired to have oxen furnished for their use. So long as the Indians are doing nothing, and refusing to do any, there is no sense in issuing oxen to them. They could do nothing with them. In regard to what Agent Miles says, in the same answer, about the wagons, &c., promised to Little Chief, I have already explained that the wagons have been sent him since this testimony was taken, and the cows for breeding will be delivered in June.

At the bottom of the 80th page, and top of the 81st, I find the following:

Q. Did you ever withhold any supplies from any of the Northern Cheyenne Indians that went away, as a punishment for any offense committed, or for any other purpose?—A. Yes, I withheld coffee and sugar.

Q. Under what authority did you withhold those articles?—A. I did it by direction of the Interior Department.

Q. In what shape were those directions of the Interior Department transmitted to you?—A. In the shape of a circular, or, rather, two circulars; one dated March 1, 1878, the other April 15, 1878.

In relation to this, I will state that there is a law, passed, I think, in 1875, the third section, if I remember rightly, of the appropriation bill for that year, in which we were forbidden to distribute these things to Indians who did not work; it says, in substance, that supplies should be given, in all cases, to Indians who did work; and that, in the case of wild Indians, who would not work of their own accord, the Secretary of the Interior was permitted to waive that provision of the law. That is what Agent Miles undoubtedly alludes to in this statement.

By Mr. DAWES:

Q. Do you mean to say that there was a law authorizing the Interior Department to withhold from the Indians what the treaty required should be furnished them?—A. Yes, sir; from Indians who would not work.

Q. Does the *treaty make work a condition*?—A. No; it does not.

Q. Then the law and the treaty conflict in that respect?—A. It would seem so. But that, of course, is a matter which concerns Congress rather than the department.

Near the top of page 87 of the evidence I find a question, asked by Senator Dawes, referring to Little Chief: "Was there not some promise in regard to his children going to school?" Agent Miles answers: "Yes; he objected to his children going to school; and the Commissioner said that he and his band would not be required to put their children in school, but that he must not interfere with others who wished their children to attend the school; he said that the manual labor done at the school, such as chopping wood, &c., was all right and proper, but that he would relieve the children of Little Chief and his band from this, for the present."

Mr. MORGAN. Little Chief himself testified to the same thing.

Mr. HAYT. What Little Chief said to us here was this: that he had but one child, and that he thought a great deal of it, and did not want to send that one child to school. It seems that two or three other children of his had died since coming south, and that made him set greater store by this. I said to him—as to that one single child—"You need not send him to school." I did not refer to his band at all, as the agent supposed.

The agent also says: "I believe ammunition was promised, to kill their beeves with." Then Senator Dawes asked, "Has Little Chief expressed any impatience about not receiving the wagons and cattle promised him?" To which the agent answers, "Not about the wagons or cattle, I believe; but he has about the ammunition." There was a promise made to Little Chief that he might have ammunition to kill beeves with. And that will be furnished him on the requisition of the agent. We do not send ammunition from the office. The agent can get it from the nearest military post.

In regard to sending children to school, we want all the Indian children to go to school, in order to keep the band at that agency. That is our special desire. But on Little Chief saying that that was his only child, and that the rest of his children had died, I thought one child would not make any difference, and I granted his request. But it is a misapprehension on the part of the agent when he says that it applies to any except that one child.

By Mr. DAWES:

Q. Let me inquire whether any record is made at the time of what passes in these interviews with the Indians?—A. Ordinarily I have my shorthand writer sit down at the table and take down a record of whatever is said. Whether in this case every word was taken down or not I cannot say. Little Chief and his band were here something like a fortnight. They had their conversation nearly all the time with the Secretary of the Interior, except an occasional conversation in my office.

Q. Is it safe to have these interviews with the Indians, and depend entirely upon the memory afterward in regard to them, when there may be a difference of memory, and a difference of understanding between the Indians and the bureau?—A. It is not safe. I was going to explain further in regard to this case. The Secretary had given it up as impossible to get the consent of these Indians, Little Chief and his band, to remain in the Territory. He turned them over to me, saying, "I can do nothing more with them." They came to my office in the morning, with the agent. I read to them from the treaties and from the law. I said to them that their supplies had been withheld, in accordance with

an act of Congress, for one or two years, while in the North," and that it was their duty to obey the law and go South. After a very full conversation they finally agreed that they would stay in the South and be "good Indians."

Q. Of whom are you speaking now?—A. Little Chief and those Indians who came here with him at that time. The promise was then and there made of a suit of clothes and the cattle and wagons. Afterward I had Agent Miles take them to New York, and he had them there, at a hotel, on the 30th day of May. They were in the upper rooms of the hotel, and looked down on the procession of ten thousand soldiers marching up and down the street, in front of the hotel; it was Decoration Day, and the military were out. The scene impressed the Indians very much. It seemed to be the first time that they had really appreciated the power of the government. It was there, at that time, that Little Chief asked me, as a special favor, that his little child might be excused from attending school.

Q. Have you any record of the interview in which he promised to remain in the South?—A. I think I have. My habit is to have a stenographer take down all that is said on such occasions.

Q. Do you remember what it was that he said?—A. I think he said that he never should go back without the consent of the government; he never would bring himself in conflict with the authorities; I think it was to be understood between him and the authorities that he was in favor of going North all the time, but, nevertheless, had given his promise to stay South, and not go back North against the orders of the government.

Q. That was because he was perfectly satisfied that it was useless to contend with the government?—A. He had made up his mind to that before he left here for the West again. He had asked permission to go North, and the Secretary had blankly refused; the Secretary said to him, "If you go, others will want to go also, and the Territory will soon be empty of Indians." And the Secretary added that by law he could not let him go North.

Q. You have said that the appropriation made for these Indians was too small to allow you to fulfill in all respects the provisions of the treaty in regard to their support; what is the amount of the appropriation?—A. The appropriation for the support of the Cheyennes, Arapahoes, Apaches, Kiowas, Comanches and Wichitas, for 1877–'78 was $240,000; for 1878–'79, the appropriation was $240,000; for 1879–'80, the appropriation was $290,000. For 1878-79 there was a deficiency appropriation of $30,000 made by Congress, which brought the appropriation for that year up to $270,000; and we have asked $80,000 more, to finish feeding them up to the close of the present fiscal year. In the month of July, or August, rather, we found that we were going to run very short, and attempted to cut down the rations, thinking that the Indians might, at that season of the year, in part support themselves with corn of their own raising, vegetables, &c. We tried it for a month, but it gave great dissatisfaction and threatened to breed serious trouble. The Secretary was absent, and I telegraphed to him that I thought it indiscreet to go any farther on that scale; but that as he was to meet a number of agents at Muscogee, in the Indian Territory, on the 5th of October, I would like to be advised as to his wishes; as to whether we should feed them full rations, or should cut them down. He telegraphed back that he thought the only safe and proper way was to feed them full rations, and ask Congress to make up the deficiency, whatever it might be.

Q. And you *accordingly did*?—A. And we accordingly did.

By Mr. MORGAN:

Q. I would direct your attention to page 52 of the evidence, where Little Chief, in reply to the question I asked him, "Why do you not want your children to be sent to school and educated," answered, "Because I love my children, and do not want to see them made slaves of like many children over there who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of the Interior for not wanting to receive any wagons was because I had no horses to work with them; and there have been no horses issued to me yet." Was there any obligation on the part of the government—either a treaty obligation of any kind, or any promise made to him while here—in reference to the issue of horses to Little Chief?—A. There was no promise except of saddle-horses, and they were to be issued from the agency.

I think Agent Miles is under a misapprehension in regard to another matter. I will read from page 92 of the testimony:

Q. During the previous portion of this investigation two or three matters have been mentioned or intimated that justice to you requires we should bring to your attention. Some of the Indians have intimated that supplies of annuity, such as clothing, &c., intended by the government for them, have never reached them; that at the school-building there is hidden or hoarded away a lot of stuff that they are entitled to. How is that?—A. There is a quantity of goods up there of the kind that is used to make into clothing for the school children; those goods were delivered there under the authority of the Commissioner of Indian Affairs.

Agent Miles is mistaken in that; there have been no instructions given him from the Indian Office requiring him to store any part of the goods; they are to be distributed to the Indians. Of course certain goods are used for making up clothing for school children. The next question is:

Q. Let me be sure that I understand you. Those goods in the school building are there by order of the Commissioner of Indiana Affairs, in fulfillment of a contract with Mr. Seger, the school contractor?—A. That is it exactly.

I should have to look at the contract before I could state precisely what it was, and I think I had better bring it with me the next time I come. I think, however, that the agent is in error in regard to that whole answer. There are, undoubtedly, goods shipped from New York for school purposes, in response to a requisition made by Agent Miles for goods for school purposes. But there are no special orders to him to store them; he is not to hold them or "hoard" them, but to use them for the benefit of the children. As to Seger's contract, my impression is that Miles is incorrect in regard to that. What the contract actually is I will not pretend to give from memory, because it would be impossible for me to do so.

Near the bottom of page 93 Senator Morgan says:

Q. I asked you whether or not, since you had been at this agency, the Government of the United States had furnished full rations for more than nine months in each year. I understood you to answer that it had not. Did I understand you correctly?—A. I think, taking it from the time I commenced here to the present time—not last year, but taking the whole time together—I believe you would find the rations to run from three to five months short.

That goes back to a time before I came into the Indian Office, or had anything to do with its management. But the reason of this deficiency I have already stated, namely, that the Indians were expected to supplement the support furnished them by the government by hunting. By way of illustrating this I would say that if the full legal ration were purchased for the Sioux it would require two millions of dollars annually to support them.

By Mr. DAWES:

Q. The Sioux alone?—A. The Sioux alone. The appropriation reaches about a million and a half, and the other half million required for their support is made up by hunting and agriculture; and that has been the practice of the government with regard to such tribes as can partially provide for their own support. A larger appropriation has been asked for the Sioux every year than we have obtained. We have asked for a larger appropriation this year than we shall probably obtain; we are simply doing the best that we possibly can under the circumstances.

On the 94th page I find the following: Mr. Plumb said—

Q. I asked separately in regard to the year 1878. I forgot to ask how it was in 1877—whether, during 1877, you had for issue, and did issue, a full beef supply for the entire year, as required by the treaty, * * * from January 1 to January 1?—A. I am rather of the impression that I did then, because, during the winter of 1877, the Indians were out on a hunt for about five months.

Q. Does not the law require you to issue the same amount of beef rations to the Indians whether they are here or not?—A. Why we *can't* issue rations to them if they are not here.

That is a pretty good answer. The practice certainly is not to feed the Indians when they are out on a hunt.

Mr. DAWES. On the 53d page you will see what Little Chief's feelings were at the time we were out there:

I hope that what you hear here you will carry to Washington, and intercede for us there, that we may go back to the country God gave us in the North. I do not intend to go back there unless the government allows us to do so. I do not intend to act foolish; but I do want to go back to the country I was born and raised in.

Mr. HAYT. I have no doubt of that; I have no doubt he wants to go back.

EDWIN J. BROOKS.

WASHINGTON, D. C., *February* 4, 1880.

EDWIN J. BROOKS sworn and examined.

By Mr. PLUMB:

Question. Mr. Brooks, what is your position in connection with the Indian Bureau?—Answer. I am at present chief clerk.

Q. Have you brought with you the memoranda and documents which the committee requested?—A. I have [indicating a bundle of papers and memoranda which he had brought.]

Q. This [taking up one of the papers from the package] appears to be a sort of chronological memoranda relating to the supplies of medicine sent to or needed by the Indians?—A. Yes, sir.

Q. Please state to the committee what the transactions of the department were in connection with those medicines; what amounts were furnished, when they were furnished, what correspondence was had in regard to the matter, whether there were any delays in forwarding those medicines, and if so, the cause of those delays; and any other information you may have upon the subject.—A. I would like to state, to begin with, that I was not chief clerk in the office at the time of these transactions, and know nothing of them from my own personal knowledge. I have only set down there, in order, a memorandum of the documents I find on file in the office relating to this subject. The first thing I find on the files of the office is that the bids for supplying the medicines were opened on the 18th of June of that year (1878).

By Mr. MORGAN:

Q. I would direct your attention to page 52 of the evidence, where Little Chief, in reply to the question I asked him, "Why do you not want your children to be sent to school and educated," answered, "Because I love my children, and do not want to see them made slaves of like many children over there who have to chop wood and do other work. I do not want my children used like that, because I love them. Another reason I gave the Secretary of the Interior for not wanting to receive any wagons was because I had no horses to work with them; and there have been no horses issued to me yet." Was there any obligation on the part of the government—either a treaty obligation of any kind, or any promise made to him while here—in reference to the issue of horses to Little Chief?—A. There was no promise except of saddle-horses, and they were to be issued from the agency.

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Q. Were not all the contracts for supplies—not only medicines, but other supplies—opened on that day?—A. Yes, sir; the contract for medicines was awarded to Orlando H. Jadwin, of New York, who signed the contract on the 30th of July.

Q. But the contract was not perfected on that day?—A. It appears to have been examined and approved by the Board of Indian Commissioners on the 17th of August, and their action approved by the Acting Secretary of the Interior on the 24th of August.

Q. Will you identify that? [Handing witness a contract between the government and Calvin Hood, for the supply of beef for the same year.] The witness identified it.

Q. The contract for the beef was let, and bids therefore were opened at the same time as that for medicines?—A. Yes, sir.

Q. State whether the beef contract for that year was actually closed on the date therein set forth.—A. [After examination of the contract.] As I said, I have no personal knowledge of these matters, but from an examination of the documents, and the indorsement thereon, it would appear so.

Q. And that beef contract was perfected on the 16th of July?—A. Yes, sir.

Q. Do you know any reason why a contract for medicines let in New York—the medicines to be put up in New York—should not have been signed and delivered as early as a contract for beef, let at the same time to a man in Kansas?—A. I cannot state any reason; I do not know of any.

Q. Have you any means of knowing precisely when these medicines were delivered at the agency?—A. I can tell you from this memorandum; they reached the agency on the 17th of January.

Q. Of the following year?—A. Yes, sir.

Q. State what reason, if any, you know of, for the delay in the delivery of the medicines.—A. The only reason I know of is the failure of the contractor to comply with his contract to deliver them within the thirty days required by his contract. As I said before, I only state in this matter from the records; I was not chief clerk at that time, and had nothing to do with the matter.

Q. The contract was for delivery at the agency, was it?—A. I think not; I think they were to be delivered, and were delivered to a certain contractor named Fenlon, in New York City, and he had the shipment of them. On the 3d of September, the Commissioner telegraphed to Seward to hurry up the medical supplies. The thirty days from the date of the agreement would have expired on the 30th of August. On the 24th of September, the office told Seward to tell Jadwin that unless he delivered the medicines immediately, the purchase would be made of other parties, at his expense, under the contract. The medicines were not shipped till the 29th of November, under Fenlon's contract.

Q. Do you know what the statement of the agent was, of the amount of medicines needed at this agency that year?—A. I think you have it there; but his estimates are revised here.

Q. By whom were the agent's estimates revised?—A. By the surgeon of the Pension Office here; there was no medical officer in the Indian Bureau then. The articles marked with a blue line were struck out by the pension surgeon.

Q. As being unnecessary?—A. Yes, sir. That [indicating one of the documents he had brought] is the whole contract, not only for the Cheyennes and Arapahoes, but for all the Indians down there; this [in-

dicating another paper] is the estimate for the Cheyennes and Arapahoes only.

Q. Do you know how much of this anti-malarial medicine was intended for the Cheyenne and Arapaho Agency?—A. This will show: it says, "cinchonidia, amount on hand, none; needed 75 ounces;" quinia, sulphate of, in ounce bottles, 17 ounces on hand; 75 ounces needed."

Q. This estimated of Agent Miles says 267 ounces of quinine are needed; and this [indicating the one prepared by the medical board] calls for 320 ounces?—A. I was referring to the revised estimate; the one revised here by the surgeon of the Pension Office.

Q. State what amount of cinchonidia and quinia was actually sent to the Cheyennes and Arapahoes?—A. Seventy-five ounces of cinchonidia and seventy-five ounces of quinine.

Q. That was the amount that was finally sent them—reaching them on the 17th of January of the next year?—A. Yes, sir; but there were other purchases made, prior to that time.

Q. State what amount of medicines were furnished the Cheyennes and Arapahoes during that summer—after the 30th of June, 1878, and prior to the 17th of January, 1879—and the dates when such medicines were furnished?—A. On the 10th of August, the office authorized Kingsley to buy fifty ounces of quinia for the Cheyennes and Arapahoes.

Q. Five, isn't it?—A. No. Fifty. On the 14th of August, the office ordered Nicholson by telegraph to buy ten ounces—which I suppose was furnished; I do not know anything to the contrary.

Q. You do not know when Miles received that?—A. No, sir; there is nothing to show whether or not it was ever actually purchased at all; there is nothing on file about it, except the order to purchase.

Q. Who are these men, Kingsley and Nicholson, whom the office ordered or authorized to purchase medicines?—A. Kingsley is one of the Board of Indian Commissioners; he lives in New York. Nicholson was superintendent of Indian affairs down there; he lived in Lawrence, Kansas.

Q. Have you any further memoranda there, in reference to these medicines?—A. Yes, sir. On the 16th of August, Agent Miles wrote the office that he had not a grain of anti-malarial remedies during the quarter; that he had borrowed all that the neighboring post could supply (by that he meant Fort Reno, which is within two or three miles of his agency), an d could now only quietly see the Indians die.

On the 2d of August, Agent Miles acknowledged the receipt of ten ounces of medicine, and said it would last just one week.

On the 10th of October, Agent Miles sent to the office a letter from the agency physician, setting forth the great need of medicines.

On the 12th of October, Miles was authorized to purchase two hundred dollars' worth of medicines.

On the 29th of November the medicines were shipped from New York.

On the 10th of December, Mr. Campbell—he is Miles' chief clerk—telegraphed to the office that they were in urgent need of medicine.

On the 14th of December, the office telegraphed Miles that if he did not find the medicine at Wichita—the nearest point on the railroad to the agency—he was authorized to buy a hundred dollars' worth.

On the 19th of December, Miles telegraphed that he did not find the medicines at Wichita, and that he had bought medicines, as he had been authorized to do.

On the 28th of December, the office told Fenlon to trace up the medicines and hurry them on.

On the 17th of January, the medicines were delivered at the Cheyenne and Arapahoe Agency.

I have brought with me here copies of everything received or sent, bearing upon this subject, except two telegrams—one of September 3d to Seward, telling him to hurry up the medical supplies, and of September 23d, to Miles, in relation to medical supplies; copies of those telegrams I have not been able to find. I suppose they were sent and not press-copied—just memoranda made of them. [For the documents above referred to, see appendix.]

Q. You stated that Kingsley was authorized to purchase fifty ounces of medicine for the Cheyenne and Arapahoe Agency?—A. Yes, sir.

Q. What is the date of that?—A. The 10th of August. I have a copy of that letter here; it is signed by Leeds, and says—on reading it over I see that twenty-five ounces were to be sent to the Cheyenne and Arapahoe Agency, and the rest were to be sent to Indians at the Quapaw Agency and elsewhere.

Q. Then the Cheyennes and Arapahoes were to have twenty five ounces of quinine, and not fifty?—A. Yes, sir; twenty-five.

Q. This telegram to Nicholson, of the 14th of August, authorizing him to buy ten ounces of quinine, and this of the 21st of August, from Miles, acknowledging the receipt of ten ounces of quinine, both refer to the same quinine, do they not?—A. Yes, sir; I presume so.

Q. That shows that it was possible, at any time, to furnish a supply of medicine to that agency inside of seven days?—A. Yes, sir; by an open market purchase; but the law requires us to contract. That is what is termed an "exigency purchase."

Q. Please state when the contract with Mr. Jadwin was really approved?—A. It was approved on the 24th of August, finally.

Q. Then until the 24th of August, Mr. Jadwin was under no obligation to commence the delivery of medicines?—A. No, sir; because the contract was not completed.

Q. Was it not a part of the contract that he should deliver within thirty days of that period?—A. I think that was the contract.

Q. I believe that is all the questions I have to ask, Mr. Brooks; but if you have any further information in regard to these matters we should like to have you state it to the committee.—A. There were three statements of estimates which I was called upon to furnish. One was an itemized statement showing the weight of each head of cattle delivered during a certain period which you specified. To furnish it would take us two or three weeks. There were about seven thousand head of cattle furnished.

Q. Could you tell whether, in issuing the beef to the Indians, cows were issued at full weight: for instance, if a cow weighed eight hundred pounds, was that cow issued to the Indians as eight hundred pounds of beef?—A. That I cannot tell you, but I think so—in gross.

Q. Will you look the matter up, and ascertain whether such was the case or not?—A. I will do so; I can tell you one general fact, gentlemen, which cannot be denied; those Indians were on short rations, and have been every year, for several years past, until the present.

Q. What has been the cause of this?—A. Simply because the appropriations have been insufficient to purchase the full supplies.

Q. This one fact might or might not be material, but the committee desire to know it—whether the Indians were charged with a cow as so

much gross weight, the same as a steer?—A. I am not sure about that; it is a question which has never come to my attention before.

Q. Could you ascertain in reference to that point, without going through and copying all this paraphernalia of documents?—A. I presume I could.

Q. Then you can embody it in a little statement that will be sufficient for our purpose, showing whether any allowance and addition was made to the supply of beef to the Indians on account of a part of the supply being cows.—A. I think there was not; but I will look the matter up and see.

By the CHAIRMAN:

Q. Do you know whether the contracts are made for the delivery of steers only, or of steers and cows alike? What is the rule of the Indian Office about that?—A. As I said, that is a matter to which my attention has never before been called.

By Mr. PLUMB:

Q. The contract calls for "eight millions eight hundred and five thousand pounds gross," of "beef-cattle on the hoof, at $2.69½ per 100 pounds gross weight;" and adds, "provided, that for all cows delivered under this contract a deduction of twenty per centum on the price stipulated in article one shall be made." The question is, was such a deduction made, and did the Indians get the benefit of that deduction?—A. It was, and the Indians had the benefit of the deduction. I presume they were issued to the Indians at full weight; but I will ascertain by examination at the office.

Q. Please ascertain also, if you can without too much labor, the number of cows that were issued in proportion to steers?—A. I will do so.

By the CHAIRMAN:

Q. I see in this statement of the amounts estimated and amounts appropriated for the support of the Arapahoes, Cheyennes, Apaches, Kiowas, Comanches, and Wichitas, this item, "Deficiency estimate now before Congress for action, $80,000"?—A. Yes, sir; that deficiency is caused by the failure of the crops down there on account of the drought. The attention of the office was called to the matter by Secretary Schurz, when he was in the Indian Territory last summer. We intended to bring the supply within the appropriation, and undertook to do so; but the Secretary telegraphed us to issue full rations of beef, and trust to Congress to supply the deficiency.

Q. This [referring to another portion of the document] refers to the appropriation for the fulfillment of the treaty?—A. Yes; there has been very little deduction there; nothing that affects the Indians particularly; there has been a change of $52,000 to $42,000—caused by a revision of the estimate; *this* estimate contains the appropriation for the transportation of supplies; *this* does not.

Q. Please state, in order that the stenographer may have it placed upon his record, what this document is.—A. That is a statement of the estimates and the appropriations for the years 1877, 1878, 1879, 1880, and 1881—the fiscal years ending June 30th, of each year.

Q. The estimates are made upon what are supposed by the bureau to be the necessary requirements of the service; to fulfill the agreements of the government with the Indians?—A. Yes, sir.

Q. State the amount estimated and the amount appropriated, each year.—A. For the year ending June 30, 1877, the amount of the estimate was $300,000; amount appropriated, $250,000. For the year end-

ing June 30, 1878, the amount of the estimate was $300,000; the amount appropriated, $240,000. For the year ending June 30, 1879, the amount of the estimate was $274,000; the amount appropriated was $240,000; besides which Congress passed a deficiency bill appropriating $30,000 more. For the year ending June 30, 1880, the amount of the estimate was $300,000; the amount appropriated was $290,000. And there is now before Congress for action a deficiency estimate for $80,000, on account of our giving the Indians a full supply of beef, as directed by Secretary Schurz in his telegram from the Indian Territory, to which I have before referred. He saw that the crops were almost an entire failure, so that the Indians could not get their usual amount of support from that source, and he telegraphed to the office here to give them full rations and trust to Congress to make up the deficiency. For the fiscal year ending June 30, 1881, the amount of the estimate is $350,000; the committee of the House has agreed to allow $315,000.

By Mr. PLUMB:

Q. The Indians have been getting full rations of beef since the Secretary's telegram?—A. Yes, sir.

Q. The estimate of the department for food has not been to supply the Indians with the full amount during the entire year which the treaty called for, but only for the amount necessary, as was supposed, to make up the amount, added to what the Indians themselves might produce?—A. Yes, sir.

Q. And what it was supposed they could produce?—A. Yes, sir. I think there has been a mistake in not making estimates for full amount required; but the rule has been practically laid down in the House that we could have just so much in our general appropriation and no more, and the office has confined itself within those limits.

Q. There is no reason why the office should not estimate for all that was required, and then, of course, leave the responsibility with the House?—A. But, you see, the House never has appropriated what we have asked.

By the CHAIRMAN:

Q. Are these estimates for food?—A. Yes, sir; for support—supplies.

By Mr. PLUMB:

Q. This document [indicating one which he had taken up] is for clothing?—A. Yes, sir; and for expenses of the agency, and things of that kind.

By Mr. DAWES:

Q. These estimates which you have given are the aggregate for three agencies, are they not?—A. No, sir, for two agencies; the Cheyenne and Arapahoe and the Kiowa and Comanche.

Q. Who apportions the amount between the two?—A. That is done by the office.

Q. On what basis?—A. In proportion to the number of Indians at the two agencies.

Q. Are the Indians at both agencies entitled by law to the same amount of supplies?—A. Yes, sir.

Q. Then by supplying them what the law requires would involve a deficiency of how much?—A. I do not remember the amount.

Q. For how many years past has Congress failed to appropriate for the supplies of the Indians what the law entitles them to?—A. Since 1877.

Q. When, for the first time, did the department give them the full ration which the law entitles them to?—A. My understanding is that they never received their full rations until last summer.

Q. It is the theory of the government to supply them with what, in your judgment, is enough to make up the deficiency that is not supplied by their own exertions; that is the theory on which they are fed?—A. Yes, sir.

Q. Without regard to what the law entitles them to?—A. More directly with regard to the amount of the appropriation; we have been governed by the appropriation.

Q. And the appropriations, since 1877, have fallen short of what the law requires by the amounts you have heretofore stated?—A. Yes, sir.

Q. Is the estimate in each year up to what the law requires?—A. I do not like to answer definitely as to that, because I was not in the office when these estimates were made.

Q. According to your statement here, Congress in each year has fallen short of the estimate of the Indian Office?—A. Yes, sir; I think if we had had the full amounts we estimated for, we could have fed the Indians sufficiently and without complaint on their part.

Q. Have you known at the office, since 1877, that the Indians have suffered for want of the full appropriations—appropriations in accordance with your estimates?—A. I have known it since I became chief clerk in the office, and these things have come under my supervision.

Q. How long has that been?—A. About a year.

Considerable conversation ensued among the members of the committee as to what documents among those brought by Mr. Brooks should be inserted as part of the evidence, and what need not be. The conversation turning upon the Jadwin contract for supplying medicines, the following remark was made by

Mr. BROOKS. I will state from my general knowledge that I do not think there has been a contract approved this year by our office but has been returned from once to half a dozen times.

Mr. PLUMB. What for?

Mr. BROOKS. On account of some failure in completing the bonds, or in drawing the contract up in proper form.

Mr. PLUMB. Does not the office furnish blanks?

Mr. BROOKS. Yes, sir; but the contractors do not notice or do not understand the directions on them. Even when we pencil in what is to be inserted they will not follow the penciliugs.

By Mr. DAWES [examining the Jadwin medicine contract]:

Q. How long does it take goods to get from here, or say from New York, to the agency, the Cheyenne and Arapahoe Agency?—A. About a month. It was the 29th of November before those medicines were shipped.

Q. If this contract had been fulfilled, and the medicines shipped within thirty days, and then thirty days more allowed for them to reach the agency, they would have been on the ground by the 24th of October?—A. Yes, sir.

Q. But it was the 17th of January before they actually did reach there?—A. Yes, sir.

By the CHAIRMAN [examining the Jadwin medicine contract]:

Q. This approval is by whom?—A. By the Board of Indian Commissioners, and by the Secretary of the Interior.

Q. Does the law require the submission of the contract to the Board

of Indian Commissioners?—A. I think it does, sir; that is the usual course.

Q. That is the board of which General Fisk is a member?—A. Yes, sir; you see, there are a great many cases of delay in sending these contracts backward and forward from one office to another in the course of securing the necessary approval.

Q. Explain, in a connected form, the whole thing from the beginning; the different operations that have to be gone through with.—A. Well, in the first place, the contracts are advertised to be let. Different bidders send in their bids; on a certain day the bids are opened; then they have to be compared to see which is the lowest bid; after the award is made the party is notified that his bid has been accepted, and a blank form of contract and bond is sent to him. He fills out the contract, signs it, and sends it to the office. If it is in proper form it is signed by the Commissioner and forwarded to the Board of Indian Commissioners. There are hardly ever two of them in the city, and the contract goes from the office here to New York, or to Providence, or wherever they can pick up a member; this, I see [examining the contract for medicines], went to New York; that is where Mr. Kingsley lives; he has an office there; and to Maryland, where Mr. Roberts, another member of the board, lives. After that it is sent back to the office of the board here—and sometimes a contract has to go a much greater round than that, or wait for some one of the commissioners who is absent to return home. From the office of the board here it is transmitted to the Secretary of the Interior, and he approves it and sends it back to our office to be recorded, and then it is forwarded to the Second Comptroller of the Treasury. That is the course in case there are no errors of form in getting up the contract rendering it necessary to do the work over again.

Q. When an estimate, say, for medicine, by the officer at an agency is sent in to your office, is it submitted to any board or any officer for revision? If so, what board, or what officer?—A. Ordinarily, to the officer in charge of the medical division of our office. That year we had no officer in charge of the medical division, and the list was revised by Dr. Hood, of the Pension Office.

By Mr. DAWES:

Q. Is there a bond accompanying this contract [referring to the Jadwin contract for medicines] for its faithful fulfillment?—A. Yes, sir; a bond of five thousand dollars.

Q. Do the Board of Indian Commissioners approve the bond?—A. The bond accompanies the contract. My recollection is, though I may be mistaken—my recollection is that the bond is approved by the district attorney, or the United States judge of the district.

Q. They do not have to pass on the sufficiency of the bond?—A. No, sir.

Q. Who is this contractor?—A. His name is Jadwin, Orlando H. Jadwin.

Q. Where does he live?—A. In New York City.

Q. What is his business?—A. I think he is a wholesale drug merchant; that is my recollection.

Q. Were you aware at the office, during all this red tape procedure, from May till August, of the condition of the medical supplies at the Cheyenne and Arapahoe Agency, and that the Indians there were dying for lack of this medicine?—A. I can only answer that by referring to the record; I was not in charge at that time.

Q. Was this contract for medicines for that agency alone, the Cheyenne and Arapahoe Agency?—A. No, sir; it was for all the agencies.

Q. Was the supply for the other agencies as far behind as that for the Cheyennes and Arapahoes?—A. I could not state as to that. I was requested to examine for this agency, and I did not make any examination as to any other.

Q. The agencies in the Indian Territory would ordinarily stand in quite as much need of medicines as those in the more northern part of the country?—A. Certainly.

Q. You do not know where they were delivered first?—A. No, sir; I do not know. I suppose they were delivered as they were brought in. We have a warehouse in New York; the contractor puts up the goods for an agency, sends them to the warehouse, and there they are unpacked and inspected. If, on inspection, they are found to be all right, they are forwarded to the agency for which they are designed.

Q. You say these medicines were put up in New York in November. Do you mean the medicines for this particular agency, or for the agencies in general?—A. For this particular agency, they were shipped from New York on the 29th of November.

Q. You say the contract requires their delivery in New York?—A. Yes, sir; they were to be delivered at the government warehouse, in New York, and shipped, under a contract between our office and Edward Fenlon, for transportation to those agencies.

Q. You took them at New York, and distributed them among the agencies at that point?—A. They were put up, boxed, and marked by the contractor; then they were taken to the government warehouse and there unpacked, inspected, and repacked.

Q. This was done by the government?—A. Yes, sir; by a government inspector there.

Q. Then what is the next step?—A. He delivers them to the transportation contractor for transportation to the agency.

Q. Do you know where the fault lay, that those medicines were not delivered at the Cheyenne and Arapahoe Agency until the 17th of January?—A. I do not.

Q. Is there any correspondence on file in the department urging an earlier delivery?—A. Yes, sir. On the 3d of September, the Indian Office telegraphed to Seward to hurry up the medical supplies; on the 24th of September they told him to tell Jadwin that unless he delivered immediately purchase would be made of other parties at his expense, and on the 28th of December they sent word to Fenlon to trace up the goods and hurry them on.

Q. To "trace them up"; then they had got lost?—A. I do not know that they had got lost; they were delayed somewhere between New York and the agency. We had the date of their shipment, of which we had been advised by Fenlon, and we knew that they had not arrived at the agency by a telegram from the agent.

Q. Was there any telegram received from the agency about that time?—A. There was. About the 10th of December, Mr. Campbell, the agent's clerk, telegraphed for medicine; on the 14th of December, the office telegraphed Miles that if he didn't find the medicines at Wichita he might buy a hundred dollars' worth, and Miles replied by telegraph, December 19th, that he did not find any medicines there, and so had bought a hundred dollars' worth.

Q. That shows that the goods had not reached Wichita, the end of the railroad, on the 19th of December?—A. No, sir.

Q. How long a time were they on the route between New York and

Wichita?—A. Certainly from the 29th of November till the 19th of December, and probably considerably longer.

Q. You say there was some correspondence, by telegraph or otherwise, between the department and the contractor, telling him that, unless he hurried up the delivery of the medicines, they would be purchased in open market at his expense?—A. Yes, sir.

Q. That would seem to indicate some trouble between the department and the contractor?—A. It would indicate delay on the part of the contractor.

Q. What was the date of that dispatch?—A. The 24th of September.

Q. And the goods were delivered when?—A. On the 29th of November.

Q. Is there any further correspondence than you have already mentioned between your office and the contractor?—A. There is not, that I find any evidence of.

Q. Has not the department evidence of repeated application by the agent for medicines, and representations of the distress that was resulting for lack of them during that time?—A. Yes, sir.

Q. At what dates?—A. On the 5th of July Mr. Miles stated in his monthly report that the Indians at his agency were suffering for want of medicine. On the 3d of August he telegraphed for a hundred ounces of quinine. On the 16th of August he wrote that they had not had a grain of anti-malarial remedies during the quarter; that they had borrowed all that the neighboring post could supply, and now could only quietly see the Indians die. On the 21st of August Miles acknowledged the receipt of ten ounces of quinine, purchased by Nicholson at Lawrence, Kansas, and said it would last him just one week. On the 10th of October Miles sent a letter from the physician of the agency, setting forth the urgent need of medical supplies. About the 10th of December Campbell, the agent's clerk, telegraphed that they needed medicine very much. And I think nearly every one of Agent Miles's monthly reports to the department set forth in strong terms their need of medicine at his agency.

Q. What did the office do with this contractor in the mean time?—A. They did not do anything.

Q. Did they ever know what was the reason they did not deliver them before?—A. I do not know.

Q. So the Indian Bureau was made acquainted with the distress of the Indians at this agency, all along?—A. They received those letters and telegrams which I have mentioned.

By Mr. PLUMB:

Q. You were speaking about the machinery whereby a contract was consummated; will you state whether or not, in the ordinary course of business, it takes a less or a greater time to consummate a contract with a contractor living in New York than with one living west of the Mississippi River?—A. Ordinarily, of course, a contract could be consummated soonest with the man living nearest; but most of the contractors living west of the Mississippi are likely to be East, or to have an agent here, and their contracts are generally made up in the office by their eastern agents here.

Q. Do you know when the beef contract for that year was finally approved?—A. I think on July 17th it was finally approved by the Secretary of the Interior. I find it so indorsed on the back of the contract.

Q. Do you know whether the man who contracted to furnish that beef lives East or not?—A. I do not know; I had nothing to do with these contracts.

. You stated that the approval of the Board of Indian Commission- was required. I observe this is signed by the executive committee?
.. I think the executive committee of the Board of Indian Commis- ers consists of four persons, any two of whom can act. I see that stow and Stickney approved that.
. Stickney lives here in Washington, does he not?—A. Yes, sir; he ecretary of the board.

By the CHAIRMAN:

. That contract is for how many agencies?—A. I think, all of them. ink it is possible it may not be for the agencies west of the Rocky ntains; my impression is that the supplies for them were bought pen market, by advertisement in the San Francisco papers. That consolidated estimate in there.

By Mr. DAWES:

. What was the entire amount of expenditures for medical supplies?
.. I can only say it was presumably within the amount of the bond.

By the CHAIRMAN:

. This, I understand, is the gross amount for all the agencies east of Rocky Mountains?—A. I think so.
. By whom is the gross amount apportioned between the different ncies?—A. By the office; but a revised estimate is made for each ncy, and the contractor is furnished with a copy of that. There [in- ting one of the documents which he had brought] is the consoli- ed estimate upon which this contract was awarded. In this case, I that Miles reported that he had on hand at the time the contract awarded, a certain number of ounces of quinine and needed so y more. This was cut down because the appropriation was too ll, and in its place, or to partially supply its place, a cheaper kind nedicine was sent, so as to get along with the appropriation.
. By whom was the estimate cut down?—A. By Dr. Hood, the sur- n of the Pension Bureau. It was referred to him, and he cut it down rever he thought he could. Why, if we should supply all the medi- s estimated for by the agency physicians it would require four times appropriation that we have, at least. Another thing worthy of being ed is, that Miles estimated for the *Southern* Cheyennes, who were limated; and when the *Northern* Cheyennes came down there, being ccustomed to that hot, malarious climate, they were much more sub- to sickness than those who had always lived there.

By Mr. PLUMB:

. What is this [indicating one of the documents]?—A. That is the sed estimate by Dr. Hood.
. What is the difference between the estimate for cinchonidia, as inally made by the agency physician, and as revised by Dr. Hood?— The agent estimates for 192 eight ounce bottles, and is allowed 80 t-ounce bottles.

J. K. MIZNER RECALLED.

WASHINGTON, D. C., *February* 4, 1880.

aj. J. K. MIZNER was recalled and examined.

By Mr. MORGAN:

uestion. *Major Mizner, I would* like to ask you whether, since the

time we were at Fort Reno, any improvement is observable in the temper or disposition of the Indians in regard to remaining south?—A. Little Chief is as discontented as ever. He never has expressed himself except in one uniform way. He has always expressed the same desire to get back.

Q. Do you regard his presence there as an element of dissatisfaction, or even of danger, with reference to its effect upon the other Indians?—A. Yes, sir; to some extent. I think he is disposed to do right, and to exert his influence to restrain his people; nevertheless, the expression of his feelings of dissatisfaction with the Territory and of his desire to return north causes, or, rather, enhances and aggravates a feeling of dissatisfaction that extends beyond his own band to some of the Northern Cheyennes that came there previously.

Q. Do you think it possible or probable that another party will attempt to leave in the spring?—A. I hardly think they will attempt to make up any party to leave in a body, but I rather think they are planning, in the spring, to leave in small parties, so as to elude pursuit and reach the northern country.

Q. What is your opinion as to the probability of there being shortness of food for the Indians during the present fiscal year?—A. Unless some additional appropriation is made there must be a great lack of food—a serious deficiency of supplies.

Q. About to what extent?—A. I have been furnished with about the amount and cost of rations, and from that I estimate that there will be a deficiency of about eighty thousand dollars; that is, to purchase a full supply for the 5,480 Indians now at that agency.

Q. Is there as large a number of Indians as that at agency now?—A. That is the exact number. The number has for years past been constantly increasing. In 1876 the number was but about 3,700, and from that time until now the number has increased until at the present it is 5,480. And it is worthy of notice that while the number has increased, there has been no increase in the amount of appropriations made for their maintenance, until the past year.

Q. Is there anything else you would like to say before the committee closes its session?—A. Since arriving in town I have been reading over my testimony in printed form, and I find one or two little errors I would like to correct. On page 121 I am reported as saying, "I was stationed twenty years at Fort Laramie." What I said or meant to say was, "I was stationed twenty years *ago* at Fort Laramie." On page 124 I am reported as saying, "General Mackenzie himself was present; I had direction over the three posts in the Indian Territory;" that should be "*he*," that is General Mackenzie, "had direction over the three posts in the Indian Territory." Those are all the errors I see worth noting; but if there is any way of correcting them, I should like to have it done.

N. A. MILES.

WASHINGTON, D. C., *April* 26, 1880.

General N. A. Miles sworn and examined.

By the CHAIRMAN:

Question. Please look at the testimony of Little Chief, on page forty-seven of the pamphlet containing the printed testimony taken in relation to the removal of the Northern Cheyenne Indians, and say what-

trouble. They have been there for about a year and a half. They are doing the same as the others.

Q. How many are there of them?—A. About thirty men, besides the women and children.

Q. Do they seem to be satisfied and contented there?—A. Perfectly contented and perfectly well satisfied. They say they would rather die than to be sent back to the Indian Territory. After they were disarmed something was said about their going back to the Indian Territory, and they said "they would rather die where they were," "that we might commence killing them at once."

By the CHAIRMAN:

Q. Do they understand that they live under the constant liability of being sent back there if they do not behave well?—A. Yes, sir.

Q. Do you think that has any restraining influence on them?—A. I do not think it has.

Q. You think that they behave themselves well because they are contented?—A. Yes, sir; because they are living in a country that is suited to them. They say that they tried to live in the Indian Territory as long as they could, but that they were sick all the time, and that many of them perished from sickness. They buried fifty of their people, and made up their minds that they had all got to die if they remained there. So they broke away, saying that they might as well die by the bullets of United States soldiers on the road as to die there.

Q. Have they a reservation of their own where they are now?—A. No, sir; they have no reservation. But recently I made a recommendation for them to be attached to the Assinaboine Agency, on the Missouri River, and it has been granted.

Q. Is the country where they are located one that will probably be desired by the whites eventually?—A. Well, yes; the same as every other spot of ground that I know of belonging to the Indians in the United States.

Q. It is an agricultural country?—A. Yes, sir.

Q. Are the buffalo disappearing from that part of the country?—A. Yes, sir; but before the buffalo are gone, their cattle will increase in sufficient numbers to support them.

Q. Do they take good care of their cattle?—A. Yes, sir; they take the same interest in them and take as good care of them as of their ponies.

Q. Please explain about the cattle—how they came by them, how they keep them, whether in severalty or in a herd belonging to the band in common.—A. The cattle were bought with the money received by the sale of the surrendered ponies, as I have already mentioned. I sent an officer with a few men, a small party of Indians, to Western Montana, and there they bought about a hundred head. These cattle were divided and branded and given to the Indians by families. They were branded so that each would know his own stock. Since that time the herd has increased, and the Indians take as much interest in them as they do in their ponies, their clothing, or their lodges.

Q. Each family owns its own cattle and its own horses?—A. Yes, sir; and the ground is divided off into sections or lots and allotted to each family. I detailed a soldier—a farmer boy from Illinois—to superintend and take charge of that work.

By Mr. DAWES:

Q. What do you call a family?—A. A man and his wife and children.

able as he feared it would be; it would do no harm, at least, for him to go down there and try it, and he might like the country better than he thought he would. I finally told him that if he found that he could not live there, if he found that it was a country unsuited to him and to his people, the best thing he could do would be to ask to be allowed to return to the north. That is the only difference that I see between his statement and my recollection of the conversation that occurred between us on that subject. He states that I informed him that he could go back north. My statement is that if he found that he could not live there, the best thing he could do would be to *ask* the President to allow him to go back. I, of course, had no authority to tell him that he could go back; no subordinate officer had.

As to the arms that he speaks of, I do not know that they had any arms when they left Fort Keough; I do not think they had; they had a few ponies that I had allowed them to retain, of no particular value to any one but themselves, also those that I gave them after the herd was captured from the Nez Percés. A portion of the money that was received from the sale of ponies that Little Chief's band surrendered was held for them, I think, for nearly two years. I wrote several communications about it, and requested the authorities to direct me to send it to some officer in the Indian Territory, in order that it might be expended for cattle. A portion of the money that belonged to the band that remained on the Yellowstone was expended for a herd of cattle, which they have now.

I will add that I at the time regarded the order sending these Indians down to the Indian Territory as unfortunate and the movement unwise. Those of the same tribe that remained north have for more than two years supported themselves, without receiving any aid from the government except what they earned. And a more contented, loyal band of people cannot be found in the United States.

Q. Where are they now?—A. At Fort Keogh, Montana.

Q. Where is that?—A. On the Yellowstone River, near the center of Montana.

Q. What are they doing?—A. They are taking care of their cattle, cultivating fields of corn, raising vegetables of every kind that they require. A few of them are employed as scouts and guides. And then occasionally they are allowed to go out and hunt buffalo, and gather meat enough to keep them in food. When they first came in they were in a very destitute condition; now they are as comfortably fixed as any Indians that I know of.

Q. Do they cultivate the ground by their own labor?—A. Yes, sir.

Q. To what extent and with what success?—A. The small band of Indians there have raised more out of the ground, according to the reports that I have received, than the Indians at Spotted Tail and Red Cloud Agencies, where the government has been spending millions of dollars.

By Mr. DAWES:

Q. What is the number of these Indians of whom you are now speaking?—A. About four hundred.

Q. They are a part of the Northern Cheyennes?—A. Yes, sir; a part of the tribe that surrendered when Little Chief's band surrendered.

Q. They never went down to the Indian Territory?—A. No, sir; and for more than a year I have had Little Wolf's band, who did go down to the Indian Territory, but ran away and went through Kansas and Nebraska and committed so many depredations and made so much

Q. What is your view of the proposition, which has been suggested
y some, of the allotment of lands to the Indians in severalty?—A. I
ave always been opposed to this system of gathering together a large
ibe, and holding them at one agency, and giving food to them at one
ace. It causes them necessarily to congregate and remain within a
ort distance in order to get their food every day, and all the evils
llow which naturally result where an idle and indolent body of people
e together. I think it would be much better to give them reserva-
ons, to separate them by families, and set them to cultivating little
eces of ground for themselves. Instead of issuing rations to them at
e agency, I would send their food to them, or give them the money.
that way they would not be so apt to gather in one large camp, and
main there in a state of idleness, as they do now. I think it would
far better for the government to give them what it has to give them
money or cattle—giving them to the Indians in families. The cattle
ould be branded, so that each family could know what belonged to
em, and so that if the cattle were stolen the thief could be detected.
t the Indians select places on their reservation, and have it under-
ood to be their homes—whether they live in a tent or a palace does
t make so much difference; but locate them. If you give them cattle,
ey will soon learn the value of property, which is to some extent the
sis of civilization.

Q. Do they understand what it is to have property of their own, in
e sense that civilized people do?—A. Certainly; they have clothing,
ms, horses, and other property of their own.

Q. I mean in contra distinction to owning property as a clan or tribe.—
. I do not know that they have any property among themselves in
eir wild state, in common.

Q. Take these Northern Cheyennes up there now, in their present
ndition; would a family take one hundred and sixty acres of land in
veralty, and take care of it, and cultivate it?—A. Certainly; there is
trouble at all about that.

Q. Do you think, from your knowledge of the Indians, that they would
generally willing to adopt the plan of having lands in severalty—the
ild Indians, I mean?—A. Yes, sir. Of course you have got to ap-
oach that matter gradually. From barbarism to civilization is a grad-
l process. The savage is usually first a hunter, then a herdsman, or
epherd; next he cultivates the ground. You cannot expect them at
st to be satisfied with one hundred and sixty acres of land and nothing
se, when they have been accustomed to roam over a whole Territory.

Q. What would be the result of locating them on lands in severalty,
ith white men surrounding them—mixed in among them?—A. That
ould not work so well at first, because it is very difficult to overcome
e prejudice between the two races. It would be better for them to
cate on their reservations, at first, and then, as they become civilized,
ey will be able to understand the force and benefits of the civil law—
difficult thing to make them understand.

Q. According to your idea, then, this thing must move slowly?—A.
es, sir; gradually, but constantly.

Q. Constant in one direction?—A. Yes, sir; with a steady view of
aching the main object and end.

Q. What is your view of such schools as have been put in operation
r their benefit at Hampton and Carlisle?—A. I think I was among the
st to recommend that, several years ago. The difficulty and disad-
ntage of having a school at an agency is this: you have got to keep
e tribe there at the agency where the school is, or else separate the

children from their parents. If you are going to separate the children from the older Indians, it would be better to let them go where they can see the benefits of civilization. In passing through the country, as they must, for instance, in coming to Carlisle or Hampton, they will see the power of the white race, and learn the advantages of civilization. Then again, they are away from all the demoralizing influences of camp life. It is better to take the boys and girls, and teach them the English language, and habits of industry, and then let them go back, with the new ideas which they have obtained by association with the white people. The Indians, so far as I know, are willing to do that. I have had many offers from prominent men, in the Indian tribes, that have asked me to take their sons and send them east to have them educated. They see that the whites have power which they have not; that we have newspapers, and know how to manufacture everything needed which they do not. Of course, if you take the children of prominent men who are soon to become chiefs themselves, headmen of the nation, who are to have control of affairs among them, you will gradually educate the whole tribe.

Q. Are these schools meeting your expectations?—A. Yes, sir. But they are only in their infancy. My recommendation was, to take a number of military posts, that were no longer needed, because civilization has gone beyond them, and convert them into industrial schools.

Q. Like Carlisle Barracks?—A. Yes, sir; that is simply one that has been taken; there are several others that can be used.

Q. You think that that would be better than trying to do the same thing on the reservations?—A. Yes, sir.

Q. What do you think of having blacksmithing, shoemaking, carpentering, and other trades, taught them on the reservations—making the agency schools to some extent industrial schools?—A. As regards teaching a trade at an agency, I never yet knew an Indian to learn the blacksmith trade in that way.

Q. But assuming that the blacksmith is as good a workman as he ought to be—a good one.—A. He may put shoes on the feet of the pony of some warrior that has been out on a raid and got his horse sore-footed. As a general thing these mechanics about the Indian agency do not amount to much. But take five hundred or a thousand Indian boys, and put them at a large industrial school, where they will learn the English language, and be taught some useful trade at the same time, and when one of these boys goes back he will be of some use among the tribe.

Q. What is your idea as to whether the Indians, as a race, are increasing or decreasing in numbers?—A. The tribes that are peaceable, I think, are on the increase.

By the CHAIRMAN:

Q. Is there anything else that you see in Little Chief's testimony that you would like to explain?—A. I have mentioned the only point which I have seen that I think needs correcting.

By Mr. DAWES:

Q. What was the character of Little Chief?—A. He was a quiet, peaceable, well-behaved man, while with me.

Q. Was he the first in authority?—A. No, sir; he was a sub-chief.

Q. Who was the first in authority?—A. Roman Nose and Little Wolf.

By the CHAIRMAN:

Q. There is one point which we would like to have explained. Of the

first band of Northern Cheyennes that went to the Indian Territory, about two-thirds have been contented ever since they went down there; the other third are discontented, and constitute the band that went through Kansas and Nebraska, under Dull Knife and Wild Hog, and make trouble. Of the band that went down when Little Chief did, about the same portion are contented, and one-third are discontented. Have you any information that will enable you to give any satisfactory explanation as to why this difference exists among the Indians, so that two-thirds of each band should be willing to remain, while one-third of each band are discontented?—A. Many years ago the Cheyenne tribe divided; a portion of them went south and have remained there ever since. I can account for the difference to which you refer in no other way than that perhaps the relatives of some of them, who were already down there, treated them hospitably and made it as comfortable as possible for them. That would naturally have a tendency to make them like it better down there.

Q. Did you know a chief among the Northern Cheyennes named Living Bear?—A. I do not know him.

Q. Living Bear and Standing Elk appeared before this committee at Fort Reno, when these questions were asked and these answers given:

Question. Why did you not go off with the other Northern Cheyennes when they left this part of the country to return to their northern homes?—Answer. We were told at the council at Camp Robinson, by Generals Crook and Mackenzie, that the President had given orders for us to come down here and live in the southern country; we intended to be obedient to the orders of the President, and so we did not go back.

Q. Did you want to go back?—A. We had no idea of going back any more; we did not want to go back after having come down here.

Q. Do you want to go back now?—A. I have been satisfied here ever since coming down; when I first came down here the Southern Cheyennes met me, and took me by the hand, and told me they were glad I had come down; and I have felt at home ever since.

Now, those two men represent about two thirds of the first band of Northern Cheyennes, and they are contented there to day. The other third, who went north, you know all about. So in the band that went down about two-thirds of them are satisfied, while the other third, under Little Chief, are very discontented, and I doubt whether they will ever become contented. I have wondered whether there was any reason for this.—A. I think it can be accounted for in the way I have mentioned. As Living Bear says, his friends down there met him, took him by the hand, and did everything they could to make it agreeable for him. The traders are always anxious to draw as large a crowd of Indians around them as possible, because it is money to them. They sometimes buy up the headmen by presents, in every way possible, to induce them to hold their people near them. I see no objection to those that want to remain there remaining there; but I see no reason for holding those there that are dissatisfied and desirous of returning north.

By Mr. PLUMB:

Q. I want to ask you about the Indians' rations; what ration do you give the Indians in your employ?—A. The same as the soldiers' ration.

Q. Are they satisfied with that?—A. Yes, sir; it was more than they had ever received anywhere else.

Q. Do those Indians at Fort Keogh receive any support, except those in government employ?—A. No, sir.

Q How are the rest of them supported?—A. They earn their own living by herding cattle and cultivating the soil.

Q. Do they take good care of the cattle?—A. Yes, sir.

Q. What did the children do, herd cattle or cultivate the soil?—A. They did both. They herded the cattle and helped cultivate the gardens.

Q. Are they good herders?—A. Yes, sir; the best in the world.

Q. Do they seem to be adapted to that business naturally?—A. Yes, sir; they have been at it, or at business very similar to it, for eighty or a hundred years; ever since they first had horses.

Q. And they are satisfied with that kind of work?—A. Yes, sir.

Q. What length of time would you think it desirable to educate those children in order to accomplish the purpose the government has in view, or the purpose you have in view?—A. As the government has taken the Indians under control and assumed to manage them for many years, I think it might as well pursue the same policy until the Indians as a body learn the English language, and then they can take care of themselves.

By Mr. DAWES:

Do you consider that the first step?—A. I consider it the most important step towards becoming civilized; for then they can read the laws and the newspaper, and in that way come in contact with white civilization more than they otherwise could. They could get information which it is impossible for them to get now, except to a very small extent by means of interpreters.

By Mr. PLUMB:

Q. If these Indian children are taken away from their tribes and sent to remote sections of the country, how long do you think it desirable to keep them there in order to accomplish the purpose you have in view with the Indians?—A. You can judge of that as well as I.

Q. We want your opinion.—A. Some are brighter than others. It takes a child but a very short time to learn a language. You would need to keep them there until they have learned the language, and then they should be kept there until they have learned to read understandingly.

Q. How long do you think that would take?—A. It might average somewhere between five and eight years. Some of them would learn in less time than that.

Q. What would you do with the Indians after they have learned this?—A. Let them go back to their homes, their tribes, and let others take their places.

Q. What would they do for a living when they got back?—A. They would be the instructors of others and earn their living the same as other intelligent people.

Q. But what would they do for a livelihood?—A. Cultivate the ground and take care of stock; some would become carpenters, blacksmiths, mechanics.

Q. Can they not learn how to cultivate the ground and take care of stock as well by staying where they are?—A. No, sir; they might learn to take care of stock, but they would not learn the value of different kinds of stock, or what amount they should receive when they came to sell their stock.

Q. How do Indians ever learn to trade? They do learn the value of goods, horses, arms, &c., do they not?—A. They do.

Q. How do they learn that, by experience?—A. Yes, sir.

Q. Are they not much more likely to learn that by experience than they would be to learn it by any education they could obtain at school,

ithout experience?—A. They might learn to barter among themselves, course, but they would not be able to learn the value of horses and ock at distant markets, and whether the prospects were in favor of a ll or a rise in price, as well as if they were educated and able to read e newspapers and find out the value of horses and cattle in Chicago, d Saint Louis, and other distant markets.

Q. That limits itself to the learning of the language; I am speaking the other things that they are expected to learn during these five or ght years that they are at school; what would they do toward aiding em to get a living better than they otherwise would do? What edution do they need beyond enough to enable them to read the newspa-rs and discuss the market reports?—A. They would be able to earn living as much better than a wild Indian as an intelligent, educated hite farmer can get along better than an ignorant farmer. The same enefits which would result to a white farmer from being educated ould result in the case of the Indian.

Q. Do you think that education would put an Indian on a par with n educated white farmer?—A. Yes, sir; in many respects.

Q. You named several successive steps between barbarism and civil-zation, but it seems that you do not think th y need to go through those uccessive steps in order to arrive at civilization?—A. I think they ight get over those intermediate steps much more quickly by being ducated than they would otherwise.

Q. Do you not think that the Indians might be sufficiently educated o render them self supporting by a comparatively rapid and inexpen-ive process, rather than by sending them to some remote point and iving them an expensive education for from five to eight years?—A. No, sir, for this reason: If an Indian has anything to sell to a white an—a horse, a buffalo robe, or a load of vegetables—if he does not nderstand our language, he must go and get an interpreter to go with im to the store and communicate through the interpreter; or, if a white an goes to an Indian tribe to buy a horse, or anything that the Indian aises out of the ground, he must hunt up an interpreter and communi-ate with the Indian through this third person. If the Indian were ble to speak our language, he could do his own interpreting and com-nunicate with the white man directly, which would give him great ad-antage.

Q. It would be just the same on the part of a German or Portuguese, who might want to do the same thing?—A. Yes, sir; they would be ble to get along much better.

Q. Will not the next generation of Indians, without the expense of send-ng them to school at a distance for several years, simply by intercourse with the whites, learn our language and speak it sufficiently to make known their wants, and to be the recipients of statements, information, &c.?—A. In a few cases they might.

Q. Will not that be the natural result of their intercourse with white men, independent of definite methodical education—school education?—A. It would take a good many years.

Q. Longer than to educate them at these schools? You say that would take from five to eight years?—A. Yes, sir; longer than if a cer-tain portion of them, at least, had the advantage of schools.

Q. It would not be attended by any expense?—A. Probably not by any large expense.

Q. What more would you expect to accomplish by the education of ndians than to put them on a self-supporting footing? Is not that the bject of education generally?—A. They can support themselves in that

country without any education, and outside of government help, as they have done for thousands of years. If education is good for any people, it is good for Indians. The same reasons which render education beneficial for any other people, are applicable in the case of the Indians.

Q. Will they not naturally and gradually, as the whites infringe upon them and settle up that country, will not the Indians, by following the bent of their own inclinations, in connection with their surroundings, naturally and gradually acquire an education and become self-supporting?—A. If they are given facilities for becoming educated they will probably become educated. If they have to go through the slow process of education which results from coming in contact with the roughest element on the frontiers, they will see nothing but the very lowest stage of civilization, and they will regard that as the natural condition of the white man. But allow the Indian to go inside of white settlements in the older settled regions of the country, and see there the advantages of education and civilization, and it will have more attractions for them. The contact with people in civilized communities would be much more to their advantage than contact with the rough element that we find on our extreme frontier.

Q. That is a matter of morals.—A. Morals, education, and everything else.

Q. I am sorry to hear your description of the population on the frontier; is not that likely to change?—A. I have nothing to say against the frontiersman, as such. I have as high a regard, at least for many of them, as any one else. But out on the *extreme* frontier, where the Indians are liable to make their first acquaintance with white men, you do not find the class of men that inhabit the older settled portions of the country. You find there a class of men living in huts and "dug outs," living in a very rough manner, with no domestic life whatever. This serves to give the Indians a very low idea of white civilization. And this is not the worst phase of the matter. A good many of these men are men who have gone there to escape punishment for crimes committed in the East.

Q. Is that the general character of the white men about Fort Keogh—the farmers about there?—A. The farmers have hardly got there yet. The first people to come to the extreme frontier are generally horse-thieves and gamblers and other malefactors. I know that was the case in Kansas, some parts of it, when I first went there. Then they disappear, and hunters and trappers take their places.

Q. Is it usually the case, on the frontier, that hunters and trappers follow the thieves and gamblers?—A. Yes, sir. Then gradually the pioneer settlers push out—the "ranchmen" and farmers, and bring with them their families, and civilization. But this class of people do not usually come until the Indians have disappeared. Those white people that the Indians first come in contact with are those of which I have previously spoken; and that kind of civilization does not have a tendency to win their admiration and awaken within them a desire to imitate it.

Q. Do you not think that that civilization is an improvement upon that which the Indians already possess?—A. They do not think it is.

Q. I asked your opinion?—A. I do not think that the influence of it has any tendency to draw them from the life they have been leading to a better one.

Q. Your idea would be to either transplant white settlers—of the more respectable class—out there, or to transplant the Indians to the white settlements?—A. That plan has been advocated.

Q. I am asking your opinion?—A. I believe it would be better to allow the settlers to go among them, and thus give them an opportunity to witness the advantages of civilization, than to shut them off by themselves, where they see only the "rough edges" of civilization.

Q. If you deem it desirable to bring the young people down to Carlisle Barracks, why not the entire tribe?—A. That has been advocated by men who have made the subject a study—to bring the Indians inside of the white settlements.

Q. That plan would be popular on the frontiers, would it not?—A. I think it would; the people there would be very glad to get rid of the constant annoyance of large bodies of Indians immediately in their vicinity.

Q. The Indians do not like the contaminating influence of the whites, and the whites do not like the contaminating influence of the Indians?—A. You understand that I do not advocate anything of that kind, such as moving the whole body of the Indians. But as it is now, we are expending a great deal of money for educational purposes, sending out teachers and building school houses on the frontier. My policy would be to consolidate all the school work, at places where it could be done, and where the children could see some of the advantages of civilization.

Q. Do you not think that, if the children were to be educated where they could associate with their own people, so that the influence of the school-room could gradually be brought to bear upon the whole tribe, it would be better than to take the children away from the tribe?—A. I believe that the influence of camp life would do more for the injury of the children than the children could do for the benefit of the Indians in camp.

Q. Do you think that bringing the children to Carlisle Barracks, and keeping them there for five or eight years, where they would know nothing of Indian life, would be the best way to fit them to go back upon the frontiers, and enter upon agricultural work in a pastoral way?—A. I believe that they will be better able to cultivate farms, and to teach others to do so, after they have learned to live the life of civilized men than otherwise. I do not think it is necessary to bring them as far east as Carlisle Barracks.

Q. You would want to bring them far enough east to be out of the reach of horse-thieves, gamblers, &c., would you not?—A. Certainly.

Q. Where do you think that would be?—A. O, there are a sufficient number of available places that could be found; say at Fort Harker or Fort Riley, Kans., or Fort Snelling, Minn.

Q. In the Yellowstone Valley, how many men are there with families who have gone there to build houses, and who intend to school their children there? Are not the advantages which the white man is willing to accept for his children, considering that he has all the world before him, good enough for the Indians out there?—A. There are very few families in the Yellowstone country.

Q. They are constantly coming in, are they not?—A. A few; but the percentage is not large. They are just commencing to come in.

Q. The country through there has been known to white men for a many years?—A. Yes, sir; from twenty-five to thirty years; but during that time very few white families have gone into that section.

Q. Is it not the fact that that country has been occupied by Indians, and has, therefore, been unsafe for white men, had a great deal to do with that?—A. That has been one reason, of course. There have been

white men scattered through there, but they have been mainly hunters and trappers.

Q. Has there been, during the last twenty-five years, any time when a white man would consider it safe and prudent to go there and live there with with his family for twelve months at a time?—A. No, sir.

Q. Now that those barriers against the influx of settlers have been removed, is it not likely that the settlers will go there with comparative rapidity, and organize communities, and the appliances of civilization will be brought so close, that opportunities for the education of white children and Indian children alike will be afforded?—A. It will undoubtedly be some time occupied by civilized people, the same as every other section.

Q. And that very soon—in a very few years?—A. In a short time, the same as Kansas has been.

Q. Do you think that the Indians would suffer by contact and association with the settlers that will naturally flow into that country within the next five years?—A. I do not think that they would suffer from contact with any settled civilized people.

Q. Would not the schools and educational advantages, and influences which are sufficient and satisfactory to the white people and their families who are settling there, be equally desirable for the Indians?—A Certainly.

Q. You do not think that an Indian is entitled to receive anything better at the hands of the government, or any more of it, in the way of education, than a white man?—A. No, sir.

Q. If a white man is satisfied with the education that his children can get on the banks of the Yellowstone, ought not an Indian to be satisfied with the same?—A. I will say this in general terms; I would give an Indian the same advantages, the education, the same protection, anywhere, that I would give to a white man. But if you make a treaty with the Indians, and require them to live at a certain particular locality, and are constantly moving them about, and sending them from one place to another—if they are considered the wards of the government, and the government takes upon itself the education of them—I would say educate them in the way that will do them the most good.

Q. Do you not think that instead of putting them in tribes, in large numbers, it would be better to disperse them in comparatively small bands, and locate them at intervals, with at least some small white settlements between them? Would they not then have more prospect of becoming self-supporting than when they are brought in contact with the trader only?—A. That would have to be done gradually; it would be dangerous to attempt to separate them, to break up their tribal relations all at once.

Q. As I understand it, the Indian tribes, ordinarily, never have lived together in large numbers, of their own volition? They live considerably scattered, always?—A. Except those living on the buffalo.

Q. And they, only for the time being. Take, for instance, the Indians at the agencies on the Missouri River; have they ever lived together in large numbers, of their own volition?—A. No, sir.

Q. I am speaking of letting the Indians live by themselves, in localities which they choose—would not that be better than bringing them together in large numbers?—A. I think so. But you could not take the Spotted Tail tribe, or a band on the Missouri River, and scatter them among the white people of Iowa without trouble; it would not benefit the people of Iowa, nor the Indians themselves.

Q. I am not speaking of taking them from the locality where they now

e, and scattering them elsewhere, but in the territory where they long, scattering them so as to give them some room for the sort of erations to which they naturally attach themselves.—A. I think that, stead of congregating them in one large body, and holding them to-ther, it would be better if they were dispersed over their reservation, d annuities issued to them at their homes—and not, as now, at one ace.

Q. Do these Indians of which you speak at Fort Keogh trade with e Indian trader there?—A. They trade where they like.

Q. Wherever they can do best?—A. Yes, sir.

Q. Through an interpreter?—A. Yes, sir.

Q. Are not their faculties sharpened by experience, so that they make ood trades?—A. I do not know about that.

Q. What is your impression?—A. They understand the value of money etter, at least.

Q. And also the value of hides, and the various other articles they ell or purchase?—A. Yes, sir.

Q. Do they not really trade with considerable shrewdness and conomy; I mean with reference to buying things at low prices?—A. I now very little about that; but, so far as my observation goes, I think hey do.

Q. They are not seriously, not very materially injured, in the way f being cheated?—A. Where they are allowed to trade with any one hey please, to select their own place of trading, for selling what they ave to sell, whether they make better bargains or not, they are cer-ainly better satisfied, and I have no doubt that they make better bar-ains than they can do where one man has a monopoly, and they are bliged to sell at his price.

Q. Are they not quick in detecting the poor quality of goods? Does ot their interest sharpen their wits as much as in the case of anybody lse?—A. I presume that in that respect they are very much like other ersons.

Q. They can be trusted with money, to expend it with a reasonable egree of advantage to themselves?—A. Yes, sir.

Q. Do you not think that in a short time they would expend the ioney now given them by the government for clothing to as good ad-antage as the government expends it for them?—A. The first scouts hat I employed were wild Indians, they did not understand the value f money. One of them, when he was paid, went to his tribe and gave all away—passed it around—and then came back and wanted more. ince that time, however, they have learned the value of money, and I hink they now make as good use of it as the soldiers do. A short time go a payment was made when the command was away on the Mis-ouri River, and the Indians sent home to their families, which they had ft back at Fort Keogh, a larger percentage of their pay than was nt home by the white soldiers. They are saving up money now, out of hat they earn as scouts, to buy cattle with. So I believe that there ould be little difficulty in Indians learning the value of property, which the foundation of civilization.

Q. Then you think it would be better if they were allowed the privi-ge of trading with any one they choose?—A. Yes, sir; I think that ith the requisite experience they would be likely to make as good use their money as the same number of white men. The plan of author-ing only one man to trade with them in my judgment is wrong.

Q. Do you think that if instead of giving the Indians blankets, food, c., these things were *capitalized*, at a fair price, and the money given

to the Indians, they would be likely, with a little experience, to buy what they need at good advantage?—A. Yes, sir; that plan has worked very well with the English Government.

Q. And you think it would work the same with the United States Indians?—A. I can see no reason why it should not.

W. H. H. LLEWELLYN.

WASHINGTON, D. C., *March* 24, 1880.

W. H. H. LLEWELLYN sworn and examined:

By the CHAIRMAN:

Question. What is your occupation?—Answer. I am employed by the Attorney-General as a special detective of his department.

Q. State what knowledge you have, if any, in regard to the outbreak of the Northern Cheyennes who left the Indian Territory, passed through Kansas, and were captured and confined in Fort Robinson?—A. The outbreak occurred, I think, in January of 1879. I was not at Fort Robinson at the time of the outbreak. I was there eight or nine days afterward. I saw the quarters in which they were confined—company quarters.

Q. State anything that will tend to throw any light on the matter.—A. The building was a company building, intended for a company of soldiers. There were one hundred and thirty or one hundred and forty Indians confined in there—more than twice as many as are usually confined in a building of the dimensions.

Q. It was a building such as is occupied by troops?—A. Yes, sir; it had formerly been used for company headquarters.

Q. Do you know anything about the actual outbreak?—A. Only what I was told. I examined the building and saw where they had dug up the floor.

Q. If there is anything in regard to the matter which you think it important to tell, go on and tell it.—A. In my opinion I think they might have used greater caution in regard to keeping arms away from the Indians and having a heavier guard. Of course after the breaking out the soldiers could not very well have pursued any different course than they did. From my experience among the Indians it seems to me that they might have used more caution in searching them for arms. It seems to me it would have been better to have divided them up into two sections or parts, and put them in different buildings. Of course, the feeling, generally speaking, of soldiers toward the Indians is very hostile.

Q. Were there other buildings at the disposal of the troops there?—A. If I remember rightly, there were five companies of soldiers posted there at that time. I think they could have got probably three other buildings. There were some buildings near there, on the agency, that might have been used. They were the quarters of the old Red Cloud Agency, that were used before the other agency was established there. It seems to me, from my knowledge of the Indians and their disposition, that if I had been in charge there, in the night time, I would have had a detail of fifteen or twenty men. With two or three guards, one only at each end of the building, the Indians would have a good chance to get out of the building while the guards were at the end, passing up and down on their beat.

Q. You know nothing of what actually occurred?—A. No, sir; I heard a great many statements.

Q. Before that, had you been at Fort Robinson recently?—A. No, sir; not for two months—perhaps three. I saw part of the Indians afterward, when they were brought down to Sidney, Nebraska. The country right there at the post is quite level, a sort of small plateau; but on all sides there are ravines and hills and cañons. Of course the Indians got away immediately and sought shelter in these places. Indians are very peculiar in their notions. For instance, the Spotted Tail Indians and the Red Cloud Indians have an idea that the Missouri River water is very unwholesome and injurious. The Yankton Sioux, on the contrary, think there is nothing like the Missouri River water. If an Indian gets a notion in his head, it is sometimes very difficult to change it. I had an Indian from the Red Cloud agency subpœnaed to go before a Deadwood court last January. He refused to go. He said that the white men had a big hole up there and threw the Indians into it; but other Indians did go up, and on coming back gave a glowing account of it; and then this Indian wanted another term of court held for his own especial benefit, so that he could go up.

Q. In other words, the Indians are ignorant and prejudiced?—A. Yes, sir; they have their superstitions, and considerable tact and care are required in dealing with them.

REMARKS OF HON. CARL SCHURZ.

WASHINGTON, D. C., *May* 15, 1880.

Hon. CARL SCHURZ, Secretary of the Interior, appeared before the committee and gave his views in regard to the matters under consideration.

The CHAIRMAN. Mr. Secretary, please make any statement that you may desire relative to the removal of the Northern Cheyennes now at the Cheyenne and Arapahoe Agency, or any part of them, or of the Poncas now in the Indian Territory, or any part of them, to their original location.

[Secretary Schurz's remarks, so far as they had a bearing upon the removal and condition of the Ponca tribe of Indians, will be found in the volume of testimony taken with reference to that subject. In regard to the Northern Cheyennes, the following are his statements and conclusions]:

The SECRETARY. As to the Northern Cheyennes, I think that they suffered, on the whole, much less than the Poncas. There was a great deal of sickness among them at the beginning; but at present they are much better. The present discontent among the Northern Cheyennes in the Indian Territory is all, or nearly all, traceable to one source—an old chief, called Little Chief, who is using all his influence to keep up the old traditions and to keep the other Indians from work. When he was here he indulged on every occasion in the old style of Indian talk; that the Indian was not made to work, but to hunt, and eat buffalo meat; that only women should work; that education was not good for Indians, and so on. In the course of time the Northern Cheyennes will get over their difficulties, if sufficient encouragement is held out to them.

The CHAIRMAN. I was going to ask a question about Little Chief. The policy of the department has been, for some time, to break up as much as possible the influence of the chiefs, by distributing rations to

families, and not to chiefs of bands, as was formerly the custom. Has that, in your judgment, had anything to do with Little Chief's dissatisfaction?

The SECRETARY. That has also had something to do with it. The old chiefs are all opposed to that system of distributing rations. As long as they received rations and annuities to be divided by themselves among their followers, they could distribute rewards and punishments at pleasure to the members of their respective bands.

The CHAIRMAN. And thus strengthen their position?

The SECRETARY. Yes; and the new method of distributing rations to the heads of families is naturally calculated to weaken the position of the chiefs and displeases them.

The CHAIRMAN. Since you have adopted the plan of distributing rations among the families, do you find that the chiefs have lost the hold upon their followers that they formerly had?

The SECRETARY. Yes; they have lost prestige. It was, first, a question of justice; we wanted to treat all alike. Secondly, it was a matter of policy, weakening the power which the chief formerly had. This power is here and there used in favor of sound policy, as by Spotted Tail; but in very many cases it is not.

Of all the Indians I have ever seen, Little Chief was the most backward in his ideas, adhering most tenaciously to old traditions. * * *

Mr. PLUMB. Has the department taken those measures which would tend to the health of the Indians, in view of their removal—supplied them with physicians and medicines, which would have the effect to protect them against the diseases naturally resulting from their removal from a northern to a southern climate?

The SECRETARY. That is a point upon which I can give you no further information than you have already received from the Indian Office.

Mr. PLUMB. I speak of that because the great mortality among the Poncas has been mentioned.

The SECRETARY. I think that the mortality among the Poncas was in a great measure owing to other causes than insufficiency of supplies. Whether medicines have been furnished as they should be can be found out from the Indian Office. These are among the matters which come to my knowledge only indirectly through that office.

Mr. PLUMB. Were you aware, during the summer of 1878, of there having been urgent and repeated communications from the agent at the Cheyenne and Arapahoe Agency as to the great lack of medicines?

The SECRETARY. I was not aware of it at that time, because those representations were made by the agent directly to the Indian Office, and not to the Secretary. The matter came to my notice subsequently.

Mr. PLUMB. Were you not aware of it at the time?

The SECRETARY. I cannot remember that my attention was called to it at that time.

Mr. PLUMB. Do you think, with regard to the Northern Cheyennes also, that the government has supplied them with medical attendance and medicines sufficient to meet the condition in which they found themselves on being transferred to the Indian Territory?

The SECRETARY. I testified before a subcommittee of the Indian Committee of the Senate upon this subject, and you will find all that I have to say with regard to that matter in this document, which covers the entire case, so far as it has come within my knowledge.

[The testimony referred to consists almost exclusively of documents bearing upon the case, the most of which have already been introduced in evidence, and all will be found in the Appendix.]

I was afterward informed that the contractor for medicines had failed o perform his contract within the time specified by law, and that conderable delay in furnishing medicine arose on that account; but such letails do not in the nature of things come to the knowledge of the Secetary unless his attention is specially called to it. It is the business of he Indian Office.

Mr. PLUMB. Was it your understanding that the clothing and implenents and annuities generally—the things required by the treaty to be aid to the Northern Cheyennes—had been delivered?

The SECRETARY. You will find all the information I have upon that subject—and I have none except that received from the Indian Office—in this document to which I have already referred. As I stated, information of all these details can be obtained by the Secretary in no other way than by making official inquiries of the Indian Office and getting their reports. The Secretary can send inspectors out to investigate matters when he has any at hand. But other than ordinary inquiries are usually made only upon other than ordinary information obtained.

Mr. PLUMB. I wish to ask you whether it is your belief that the government has, during the last three years, fully complied with all the treaty obligations which it was under to the Northern Cheyennes located in the Indian Territory? I do not ask now for special information in regard to the matter—only your general conclusions.

The SECRETARY. I have every reason to believe that the appropriations we have received from Congress have been justly and well expended to that end. But I do not think that the appropriations have been sufficient to comply strictly with the provisions of the treaties. I know, for instance, very well that they were not this last year. When I was in the Indian Territory last fall I was informed by the agents of he Cheyennes and Arapahoes and of the Kiowas and Comanches that hey were obliged to cut down the rations of their Indians to about onealf, because Congress had appropriated a sum sufficient only to permit alf rations, depending for the rest of their support upon what might be ade from their crops and by buffalo hunts; but the crops failed in onsequence of the drought, and there was nothing to hunt; so the Inians were in a very bad condition. Thereupon I directed, by teleraph, to instruct agents to issue rations sufficient to sustain them, and ll back for relief upon Congress at the next session.

The CHAIRMAN. You mean a deficiency bill?

The SECRETARY. Yes, sir; depending upon Congress to supply the eficiency. So that it is certain appropriations fell very far short of eing sufficient. As a general rule as to appropriations we are driven o use the utmost economy, the most careful management, and in a reat many cases we are not able even then to comply with the treaty rovisions; I am very much afraid we shall not be able to do so next ear.

The CHAIRMAN. Your general statement, then, is that the appropriaions for food for the Northern Cheyennes and Arapahoes have been inufficient to carry them through the entire year?

The SECRETARY. For full rations, yes, sir; in 1878 the appropriaions were not as short as they were last year.

There is one thing more which should be taken into consideration: he number of Cheyennes who broke out were only a small part of the ggregate number of Cheyennes; and those who broke out were as well upplied as those who staid. If I may state an opinion formed at the ime, from the reports I received about the circumstances attending

that event, it would be that there was a lack of supplies to a certain extent, but that a lack of supplies to such an extent as to force them by hunger to an outbreak cannot have existed.

Mr. PLUMB. I want to get at the facts in regard to this: Agent Miles, in his testimony, on page 77 and 78 of the evidence already printed, states that he has never paid to the Indians, and that the Indians have not had the articles of clothing provided in the treaty; also that the sum of ten dollars to each Indian roaming and twenty dollars to each Indian engaged in agriculture has not been paid them; and yet the Indian bill for that year did provide for a sum of money to be paid to the Indians roaming and to the Indians engaged in agriculture, ten and twenty dollars respectively *per capita*. Have you any knowledge in regard to the diversion of that fund, or as to what has become of the money thus appropriated?

The SECRETARY. No, sir; it is a matter of detail to which my attention has never before been directed.

Mr. PLUMB. It appeared from Mr. Miles's testimony that not food enough had been provided for these Indians; that not money enough had been provided for the purchase of food; nor clothing enough to give them the articles named in the treaty; and that, besides these deficiencies, the money had not been provided for the payment of this sum of ten or twenty dollars to each Indian roaming or engaged in agriculture. I supposed that Congress had not made an appropriation; but when I called the attention of Mr. Beck to the matter, he showed me that the appropriation for this last purpose had been made for that year; and what I am trying to find out is where that money actually went?

The SECRETARY. That I am not prepared to answer. That matter has never come to my attention. These are things of which the Indian Bureau had charge, and that never came to my notice unless my attention was called to them by the bureau or complaint from other quarters. Besides, two years have elapsed since then, and I could scarcely be expected, after this length of time, to be familiar with all the details.

Mr. PLUMB. Have you, in your official capacity, received any communication from any one relative to the depredations committed by the fleeing Indians—by this runaway band of Northern Cheyennes—on their way through Kansas and Nebraska?

The SECRETARY. I think we had a communication from the governor of Kansas on that subject.

Mr. PLUMB. The treaty of 1868 between the United States Government and the Northern Cheyennes, which you will find on page 137 of this book of treaties, says:

> If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States and at peace therewith, the Indians herein named solemnly agree that they will, on proof made to their agent, and notice by him, deliver up the wrong doer to the United States, to be tried and punished according to its laws; and in case they willfully refuse so to do, the person injured shall be reimbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damages shall be adjusted and paid until thoroughly examin d and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating, or because of his violating, the provisions of this treaty or the laws of the United States shall be reimbursed therefor.

Do you know whether any action has been taken by the President, or by the Indians, or by the Interior Department, for the purpose of ascer-

taining what damages were committed, and of determining the amount?

The SECRETARY. I think I received a letter from the governor of Kansas on that subject, which I referred to the Indian Office. I think you remember this, Mr. Brooks?

Mr. BROOKS. If I remember rightly, the claims that have been put in—the presentation of the governor—could not, under the law, be recognized; but wherever individuals have filed claims we have taken steps to dispose of them under the act of 1872, which provides the specific manner in which all depredation claims shall be audited and paid. The provisions of that act, by which we ascertain damages under all treaties with the Indians, are substantially these: whenever claims come in for depredations committed by Indians, such claims are to be sent out to the agents of the Indians who are alleged to have committed such depredations; the agent shall lay the matter before the Indians in council, and ask whether they admit or deny having committed such depredations; in short, shall make an investigation, and make a report, which shall be sent to the Secretary of the Interior, who shall report them to Congress, which shall make an appropriation—whether out of the funds of the Indians committing the depredation, or out of the Treasury of the United States.

Mr. PLUMB. Has any action been taken in regard to this Cheyenne raid? Have any claims for damages committed on that raid been transmitted to the agent?

Mr. BROOKS. My recollection is that there have been. I know that the question of the presentation of claims by the governor of Kansas came up; and it was held by the division and by the office that the governor could not present a claim on behalf of individuals, but that individuals must present their claims themselves.

Mr. PLUMB. Was the governor advised to that effect?

Mr. BROOKS. I cannot say as to that. It was some time ago.

Mr. PLUMB. I wish you would find out whether any steps have been taken, and, if so, what, towards bringing the claims within the provisions of the treaty.

Mr. BROOKS. I will do so.

Mr. PLUMB. Do you understand that the Cheyennes and Arapahoes have the same kind of title, and only the same kind of title, to their lands that the Poncas have?

Mr. BROOKS. They do not live on that tract at all.

Mr. BLUMB. Have they any title to their lands at all, as you understand it?

Mr. BROOKS. No, sir; not the least title whatever. They are on land that was purchased from the Creeks and Seminoles, in part, and in part on what is known as the Choctaw and Chickasaw leased lands.

WASHINGTON, D. C., *May* 15, 1880.

E. J. BROOKS recalled.

By the CHAIRMAN:

Question. Mr. Brooks, please give, in detail, the number of the Poncas at the time of their removal from their Dakota Reservation to the Indian Territory, and year by year from that time to the present, so far as it is in your power to do so.—Answer. I would like to state, in that connection, that in 1875, when the department recomended that the Pon-

cas should be removed to the Omaha Reservation, on which recommendation Congress made the appropriation for their removal to the Indian Territory, there were, according to a census taken by the office, or under the direction of the office, 734 Poncas. I have looked over the reports, and it appears, I think, in the agent's reports of January of that year—if not of that year, of some year about that time—that many of them were dying of consumption. They are a consumptive race. The report of 1876 fixes their number at 730. The report of 1877—that is the year in which they were removed—gives their number as 717.

Q. Before or after their removal?—A. Before. There is a foot-note to the page of statistics containing this information, "36 absent." I suppose these thirty-six are those which Miss Bright Eyes testified did not remove when the remainder were taken down. The report of 1878 gives the number at 620.

Q. In the Territory?—A. Yes, sir; in the Territory. The last report, that of 1879, gives the number at 530; that is, those at the present time at the agency. I apprehend that in the report for 1877 there is a little misconception. You will notice that it reports 717 at the agency and thirty-six absent, which would give a larger number in all than the reports for 1875 and 1876. I think the thirty-six ought to be included; that is, that there were 717 in all, of whom thirty-six were absent.

Q. In 1879 how many were present?—A. Five hundred and thirty.

Q. Of the original number of Poncas who went South, can any of them be accounted for as living besides those who are returned as being at the agency? What becomes of Standing Bear and his friends?—A. They are not included; those enumerated in the report are those who were actually present at the agency. There are 530 besides Standing Bear and his friends and the others who have run away from time to time.

By Mr. DAWES:

Q. When was the enumeration taken?—A. I suppose some time in August or September—in time to be embodied in the annual report, which is sent out in October or November.

Q. What is the difference between the number in 1875 and the number in 1879?—A. In 1875 there were 734, in 1879 there were 530, making a difference of 204.

Q. Is there any means of accounting for that difference, except by taking into account those who ran away with Standing Bear?—A. There were thirty-four Northern Cheyennes who did not remove, some sixty-four left the agency about the time that Standing Bear did, which would make ninety-eight, and others have strayed away, one or two at a time. The mortality, as reported by the agent since the removal, if I recollect rightly, has been ninety-four—the actual mortality among them.

Q. How many does Mr. Kemble say he took down?—A. I do not remember.

Q. Do you know how many Mr. Howard took down there?—A. No, sir, I do not. I suppose I could tell by looking over the reports.

Q. The report stating that ninety four have died since the Poncas went down there comes, I suppose, from Mr. Howard, the agent down there?—A. No, sir; Howard is not the agent there now, and was not when that report was made.

Q. Who was the agent?—A. Mr. Whiteman was the agent that made that report. But the statement that ninety-four have died is not based entirely on the report of any one agent; it agrees with the statements of the different agents, as compiled from the records.

Q. How long had Mr. Whiteman been there?—A. I think about a year or a little over.

Q. Was he the agent who has since been removed?—A. Yes, sir; he was removed by Inspector Pollock.

Q. When did Mr. Howard leave there?—A. He was removed in the summer of 1877, if I recollect rightly.

Q. The summer of 1877? That was the same summer that they went down there?—A. Yes, sir.

By Mr. PLUMB:

Q. I see that Mr. Howard reports on page 101 of the report of the Commissioner of Indian Affairs for 1877 that nine Indians died on the way down to the Territory, and eight more died after arriving at the Territory and before the report was made. The date of the report is August 25, 1877.—A. That would make seventeen deaths. That would reduce the number given in the report of 1876—seven hundred and thirty to seven hundred and thirteen. The report of 1877 gives the number at seven hundred and seventeen—just four more.

By Mr. DAWES:

Q. There are four treaties on the books to which I wish to direct your attention; one in 1817, one in 1825, one about 1858, and one about 1866. The first is with the Poncarar tribe of Indians; the second with the Poncars; the third and fourth with the Poncas, as the name is spelled now. I wish you would find out, when you get back to the department, and let me know, whe her they all referred to the same tribe. You will find the first on page 668 of the Revision of Indian Treaties; the second (in order of date) on page 666; the later ones on pages 659 and 664.—A. I will do so.

Q. And if there is anything in the department that will enable you to tell us where these Indian tribes were located when these treaties were made in 1817, 1825—if they were the same as the Poncas—I would like to have you tell us their location, from the earliest record you can find of them until now.

By Mr. PLUMB:

Q. I wish you would look over the vouchers for furnishing beef for the Cheyenne and Arapahoe Agency, and the tabulated returns of subsistence issued to the Indians, for the purpose of ascertaining the exact fact as to whether or not, in issuing beef to the Indians, the Indian was charged with the full weight of cows, or whether there was a deduction of twenty per cent. in making up his rations.—A. I can answer that now; he was charged with the full weight of the beef.

Q. They were accounted the same as other cattle?—A. Yes, sir; a cow the same as a steer. I will state that during the year 1878–'79, that is, during the fiscal year 1879, the contract rate was $2.69½—less twenty per cent. for cows. There were delivered 6,927,167 pounds of steers, amounting in value to $186,687.15. There were delivered 1,667,341 pounds of cows, amounting in value to $35,947.87. The total amount of this would have been $222.635.02. That is, this is the actual value, at contract price, of the beef delivered. We paid the contractor $208,280.95, the difference being on account of penalties under the contract, arising from furnishing cattle of less than the weight stipulated therein. This refers to the cattle furnished, not to the Cheyennes and Arapahoes alone, but to the Cheyennes and Arapahoes and Kiowas and Wichitas. The cattle for all these tribes were furnished by the same contractor. (See Appendix, "Calvin Hood contract.")

I will add this: that these Indians would have received a great deal less beef than they actually did receive had it not been for the twenty per cent. made on the cows.

Q. On account of the deficiency of the appropriation?—A. Yes, sir.

Q. If they had got steers, and got them within the appropriation, they would have received less than they actually did?—A. Yes, sir; what we saved under the twenty per cent. clause of the contract we expended right over again in the purchase of other cattle.

Q. And gained in giving to the Indians the same as a pound of steers?—A. Yes, sir. I will state further that the appropriation for 1878 was short of the requirements of the treaty; it was also short in 1879, and also will be short the coming year, according to the Indian appropriation bill which has just passed the House; it is quite inadequate to enable us to fulfill the provisions of the treaty.

GEORGE CROOK.

General George Crook, being furnished a copy of the preceding testimony, with an invitation to make any statement he desired in relation to the portion referring to himself, wrote the chairman of the committee as follows:

FORT OMAHA, NEB., *February* 22, 1880.

Senator KIRKWOOD,
Chairman of Committee:

DEAR SIR: I have the honor to acknowledge receipt of pamphlet containing testimony taken before your committee relative to the removal of the Northern Cheyennes to the Indian Territory; and also of your note asking me to remark upon such portions of it as referred to myself.

In reply I would respectfully state that in 1875, at the time of my coming to this department, the Northern Cheyennes were constantly running between the Red Cloud Agency and the Indian Territory, and were regarded as the same people with the Southern Cheyennes.

In 1877, after the hostile Indians surrendered at Camp Robinson, Neb., the Interior Department concluded to remove them to the Missouri River. To this all the Indians were bitterly opposed, and none so much as the Cheyennes.

Upon being consulted, the Interior Department consented to letting these Northern Cheyennes go to Indian Territory, if they so desired.

I had a council with them, and said that orders were out for all the Indians at Red Cloud Agency to move to the Missouri River, but that *they* would be permitted to elect whether to accompany the Sioux to that land or join the Southern Cheyennes in Indian Territory. So far from me making any statement to them about the Indian Territory, I was careful not to advise them in any particular, as I knew nothing about that country, and preferred to let them form conclusions among themselves.

They were not a unit in this matter, and had many councils among themselves before coming to tell me that they had decided to go.

I have the honor to be, sir, very respectfully, your obedient servant,

GEORGE CROOK.
Brigadier-General.

R. S. MACKENZIE.

The chairman of the committee having transmitted to Col. R. S. Mackenzie a copy of the portion of the testimony in this investigation, so far as it was taken in the Indian Territory, with a request for him to make any statement he saw fit in reference thereto, Colonel Mackenzie responded as follows:

HEADQUARTERS FOURTH U. S. CAVALRY,
Fort Garland, Colo., February 24, 1880.

SIR: In reply to your letter of the 12th instant, I have to say that the agreement for the removal of the Sioux, Cheyennes, and Arrapahoes, from the Red Cloud Agency, was

ade between these Indians and a commission of which, I think, Colonel Moneypenny, f Ohio, was president. The Northern Cheyennes, with some few exceptions, were esent, at war with the government, while the negotiations between the commission nd the Indians were conducted. In the spring of 1877 the Cheyennes were informed y General Crook and myself, of the necessity for their removal from the agency at amp Robinson, under the provisions of this treaty; and they were told that they could ther join the Southern Cheyennes in the Indian Territory, or move with the Sioux the Missouri River. They were informed of the inducements held out by the gov-nment, through the commission, for their removal to the Indian Territory, and these ou will find given in the report of the commission, which was published, with that of ie Secretary of the Interior, in 1876. There was no memorandum kept by myself or ny one else, so far as I am aware, of the conversations with the Indians at that time. know that no assurance, not fully warranted by the agreement made by the govern-ent was given. I know too, that I informed the Indians then, that the performance f the promises made by the government, whether they moved to the Missouri or to the ndian Territory, would in neither case rest with myself; that they would pass under he control of a different department of the government.

In conclusion, I wish to say, that shortly after the arrival of the Cheyennes in the ndian Territory, they complained to me, through some of their leading men, that hey were not receiving their just dues. I inclose the reports of myself, and of Cap-ain, then Lieutenant, Lawton, made at that time, to show that I spared no plainness of peech then, to procure justice for these people. My own wish was, that these Indians go to the Indian Territory, for the simple reason that I thought it would be the best chance for their ultimate prosperity, and probably that bias of mine had influence with them. I distinctly told them though, that they as a people, must, under the pres-sure of circumstances, change their mode of life, and that such a change, wherever they were, would be accompanied by much suffering.

There are many inaccuracies of statement in the evidence sent me, but it seems hardly necessary to attempt to specify them, as it would take great space, and most are unintentional errors.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel 4th U. S. Cavalry, Commanding.

Hon. S. J. KIRKWOOD, U. S. Senate,
Washington, D. C.

[The reports spoken of in the above letter will be found in the appendix.]

WILLIAM J. POLLOCK.

WASHINGTON, D. C., *March* 12, 1880.

WILLIAM J. POLLOCK sworn and examined.

[Nearly all of Mr. Pollock's testimony related to the Ponca Indians, nd will be found in the volume of evidence bearing upon that subject; he portion bearing upon the condition of the Northern Cheyennes is as ollows:]

By Mr. DAWES:

Question. Please state your name and occupation.—Answer. My ame is William J. Pollock; I am at present an Indian inspector—one f the three Indian inspectors.

Q. How long have you been an Indian inspector?—A. Since the 3d f April of last year.

Q. What was your occupation before you became Indian inspector?—. I was superintendent of Indian affairs for the Northern Superinten-ency; I remained in that position until the Northern Superintendency as discontinued.

Q. Have you ever been at the Cheyenne and Arapahoe Agency near ort Reno?—A. I have been both at that agency and at Fort Reno for short time—a mere visit.

Q. When was that?—A. In the latter part of February, between two and three weeks ago. * * *

Q. I would like to have your opinion in regard to the removal of northern Indians to the Indian Territory. Do you consider it good policy or bad policy?—A. I think it is very bad policy.

Q. Why?—A. For the reason that northern Indians, or other persons, Indians or white persons, raised in the north require a great deal of time before they can become acclimated. Nor is it the country that we have been led to understand it was. It is not so delightful and healthful a region; it is not a garden of Eden, very far from it. I do not like any part of it.

Q. You say that, so far as you have observed, the effect upon northern Indians of moving them down into the Indian Territory has been very bad. State in what respect.—A. First, in regard to their health. For instance, there is Chief Joseph and the Nez Percés tribe that came there from Idaho; they have lost a great many of their tribe from sickness, and, as a consequence, are greatly dissatisfied. As he said, very pathetically, "When we stand on the hill we look with one eye toward Washington Territory and with the other toward the graveyard, and are very unhappy."

By Mr. MORGAN:

Q. I would like to ask whether you are familiar with that portion of the Indian Territory occupied by the Cheyennes and Arapahoes and what you think of that as an Indian country?—A. I am somewhat familiar with that country; there is a portion of that country further east, between the two Canadians, that is better than the other parts of it. It is not a good agricultural country; it is a very fair grazing country; but I consider it an unhealthy country. In fact, the agency physician at the Cheyenne and Arapahoe Agency told me that he had issued there in one camp about forty miles up from the agency, at one sitting, I think, eight ounces of quinine to sick Indians that came in with ague and asked for medicine. * * *

By the CHAIRMAN:

Q. Those Indians who are about to start their farms are left to past inexperience and Providence as to how they shall do it?—A. Largely—very largely; they do not have half the assistance in that particular that they should have, and it is not possible for the agent to furnish it. At the Cheyenne and Arapahoe Agency the Indians are scattered up and down the North Canadian River for a distance of sixty miles. There is only one farmer there, and, I think, an assistant. The farmer at times has been occupied almost exclusively in arranging the freight business, attending to the freight train—a business recently imposed upon the agent; and yet, nothing more is allowed to-day for agency employés than there was before the freighting system was inaugurated. So that at that agency they have practically no instruction in farming, and it is so at many others.

Q. That is all they can do with the means they have?—A. Yes, sir; that is the best that they can do with the means they have. I think that at each of the larger agencies there should be at least three practical horny-handed farmers who are not afraid to go out and take hold with their hands and show these people how to farm; but without the means, without the money to pay them, of course it cannot be done.

Q. I want to get some information upon another point. I have found at the Cheyenne and Arapahoe Agency and I have heard that at other agencies there is a very common complaint by the Indians that they are

ays hungry; that they do not get enough to eat. Now, am I correct upposing that condition of things to arise in this way: These In- s have been accustomed to live by hunting, and, of consequence, to largely upon meat, in fact almost wholly upon meat; the rations ed to them by the government is a mixed ration consisting of meat, , cornmeal, beans, and other things; their previous habits lead n, when their weekly supply of meat is issued to them, to commence eat it up, so that before the week runs around the meat is gone and are compelled to rely upon the flour, cornmeal, beans, and so on, to ch they have not been accustomed, and in consequence of that much nis complaint arises; in other words, is the ration provided for the ans by law, if used as white men use it, sufficient for their comfort- support? Give us your ideas upon this subject.—A. I know that complaint of short rations among the Indians is common—is gen-

. Now, why is it? Is the ration really insufficient in itself, or does complaint arise from the former habits of living of the Indians?—A. t, the ration *is* insufficient. That may seem strange when it is un- stood that they are allowed three pounds of beef gross, or one and a pounds of beef net. But when it is understood that the Indian that ws his twenty-one pounds of beef for a week goes home and cooks it at one time, and that then he and his friends get together and eat it ore they sleep—perhaps sit up all night to eat it, and that almost ays the beef that they receive is eaten by them within the first three s—it hardly ever lasts longer than that, except in some rare in- ces—when these facts come to be understood, it will not seem so nge that for a part of the time they have to go hungry.

. Would that same amount of beef be sufficient for a white man to on during the week?—A. I think that amount of beef would be icient for a white man, provided that he had all the other acessories of hite man's living. But the Indian is fond of his beef; beef and flour pose the main part of his subsistence. Of course he has sugar, ee, and some other little things; but beef and flour compose the ncipal part of his subsistence, and for that reason they do not get a icient quantity of either.

. They get beans, do they not?—A. Very few; and Indians do not e kindly to beans; they are not far enough educated for that. Very of them ever eat beans at all. Their previous habits of life, of rse, have a great deal to do with the matter.

APPENDIX.

the original intention to arrange such documents as might be in this appendix in the order in which they were referred to by esses. But before the investigation was concluded the amount mentary matter had accumulated to such an extent that, for the of convenient reference, it has been deemed preferable to arrange ocuments systematically, grouping together those dealing with e subject—those referring to food supplies under one head, to supplies under another, &c.—regardless of the alphabetical es in the body of the testimony, which was printed before the ion of this appendix.

TREATIES, ETC.

etween the United States of America and the Northern Cheyenne Northern Arapahoe tribes of Indians, concluded May 10, 1868; *ation advised July* 25, 1868.

N JOHNSON, President of the United States of America, to all nd singular to whom these presents shall come, greeting:

* * * * * *

CLE 1. From this day forward peace between the parties to this hall forever continue. The Government of the United States peace, and its honor is hereby pledged to keep it. The Indians eace, and they hereby pledge their honor to maintain it. If bad ong the whites, or among other people subject to the authority Jnited States, shall commit any wrong upon the person or prop- the Indians, the United States will, upon proof made to the ıd forwarded to the Commissioner of Indian Affairs at Wash- City, proceed at once to cause the offender to be arrested and l according to the laws of the United States, and also reim- e injured person for the loss sustained.

l men among the Indians shall commit a wrong or depredation e person or property of any one, white, black, or Indian, subject uthority of the United States and at peace therewith, the In- erein named solemnly agree that they will, on proof made to ent, and notice by him, deliver up the wrong-doer to the United o be tried and punished according to its laws; and in case they refuse so to do, the person injured shall be reimbursed for his ı the annuities or other moneys due or to become due to them ais or other treaties made with the United States. And the

President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damage shall be adjusted and paid until thoroughly examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating, or because of his violating, the provisions of this treaty or the laws of the United States shall be reimbursed therefor.

ARTICLE 2. The Indians, parties to this treaty, hereby agree to accept for their permanent home some portion of the tract of country set apart and designated as a permanent reservation for the Southern Cheyenne and Arapahoe Indians, by a treaty entered into by and between them and the United States, at Medicine Lodge Creek, on the day of October, eighteen hundred and sixty-seven, or some portion of the country and reservation set apart and designated as a permanent home for the Brulé and other bands of Sioux Indians, by a treaty entered into by and between said Indians and the United States, at Fort Laramie, D. T., on the twenty-ninth day of April, eighteen hundred and sixty-eight. And the Northern Cheyenne and Arapahoe Indians do hereby relinquish, release, and surrender to the United States all right, claim, and interest in and to all territory outside the two reservations above mentioned, except the right to roam and hunt while game shall be found in sufficient quantities to justify the chase. And they do solemnly agree that they will not build any permanent homes outside of said reservations, and that within one year from this date they will attach themselves permanently either to the agency provided for near the mouth of Medicine Lodge Creek, or to the agency about to be established on the Missouri River, near Fort Randall, or to the Crow Agency near Otter Creek, on the Yellowstone River, provided for by treaty of the seventh day of May, eighteen hundred and sixty-eight, entered into by and between United States and said Crow Indians, at Fort Laramie, D. T.; and it is hereby expressly understood that one portion of said Indians may attach themselves to one of the aforementioned reservations, and another portion to another of said reservations, as each part or portion of said Indians may elect.

ARTICLE 3. If any individual belonging to said tribes of Indians, or legally incorporated with them, being the head of a family, shall desire to commence farming, he shall have the privilege to select, in the presence and with the assistance of the agent then in charge, a tract of land within said reservations not exceeding three hundred and twenty acres in extent, which tract, when so selected, certified, and recorded in the "Land Book" as herein directed, shall cease to be held in common, but the same may be occupied and held in the exclusive possession of the person selecting it, and of his family, so long as he or they may continue to cultivate it.

Any person over eighteen years of age, not being the head of a family, may in like manner select and cause to be certified to him or her, for purposes of cultivation, a quantity of land not exceeding eighty acres in extent, and thereupon be entitled to the exclusive possession of the same as above directed.

For each tract of land so selected a certificate containing a description thereof and the name of the person selecting it, with a certificate endorsed thereon that the same has been recorded, shall be delivered to the party entitled to it by the agent after the same shall have been recorded by him in a book to be kept in his office, subject to inspection,

which said book shall be known as the "Northern Cheyenne and Arapahoe Land Book."

The President may, at any time, order a survey of the reservation; and, when so surveyed, Congress shall provide for protecting the rights of settlers in their improvements, and may fix the character of the title held by each.

The United States may pass such laws on the subject of alienation and descent of property as between Indians and on all subjects connected with the government of the Indians on said reservations, and the internal police thereof, as may be thought proper.

ARTICLE 4. In order to insure the civilization of the tribe entering into this treaty, the necessity of education is admitted, especially by such of them as are or may be settled on said agricultural reservation, and they therefore pledge themselves to compel their children, male and female, between the ages of six and sixteen years, to attend school; and it is hereby made the duty of the agent for said Indians to see that this stipulation is strictly complied with; and the United States agrees that for every thirty children between said ages, who can be induced or compelled to attend school, a house shall be provided, and a teacher, competent to teach the elementary branches of an English education, shall be furnished, who will reside among said Indians and faithfully discharge his or her duties as a teacher; the provisions of this article to continue for twenty years.

ARTICLE 5. When the head of a family or lodge shall have selected lands, and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year in value one hundred dollars, and for each succeeding year he shall continue to farm for a period of three years more he shall be entitled to receive seeds and implements as aforesaid in value twenty-five dollars per annum.

And it is further stipulated that such persons as commence farming shall receive instructions from the farmer herein provided for, and whenever more than one hundred persons shall enter upon the cultivation of the soil a second blacksmith shall be provided, with such iron, steel, and other material as may be needed.

ARTICLE 6. In lieu of all sums of money or other annuities provided to be paid to the Indians herein named, under any and all treaties heretofore made with them, the United States agrees to deliver at the agency house, on the reservation herein provided for, on the first day of September of each year, for thirty years, the following articles, to wit:

For each male person over fourteen years of age, a suit of good substantial woolen clothing, consisting of coat, hat, pantaloons, flannel shirt, and a pair of woolen socks.

For each female over twelve years of age a flannel skirt, or the goods necessary to make it, a pair of woolen hose, twelve yards of calico, and twelve yards of cotton domestics.

For the boys and girls under the ages named, such flannel and cotton goods as may be needed to make each a suit, as aforesaid, together with a pair of woolen hose for each.

And in order that the Commissioner of Indian Affairs may be able to estimate properly for the articles herein named, it shall be the duty of the agent each year to forward to him a full and exact census of the Indians, on which the estimates from year to year can be based.

And in addition to the clothing herein named, the sum of ten dollars shall be annually appropriated for each Indian roaming, and twenty

dollars for each Indian engaged in agriculture, for a period of ten years, to be used by the Secretary of the Interior in the purchase of such articles as from time to time the condition and necessities of the Indians may indicate to be proper. And if at any time within the ten years it shall appear that the amount of money needed for clothing under this article can be appropriated to better uses for the tribes herein named, Congress may by law change the appropriation to other purposes; but in no event shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall annually detail an officer of the Army to be present and attest the delivery of all goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods, and the manner of their delivery. And it is expressly stipulated that each Indian over the age of four years, who shall have removed to and settled permanently upon said reservation, and complied with the stipulations of this treaty, shall be entitled to receive from the United States, for the period of four years after he shall have settled upon said reservation, one pound of meat and one pound of flour per day, provided the Indians cannot furnish their own subsistence at an earlier date. And it is further stipulated that the United States will furnish and deliver to each lodge of Indians, or family of persons legally incorporated with them, who shall remove to the reservation herein described and commence farming, one good American cow and one well broken pair of American oxen, within sixty days after such lodge or family shall have so settled upon said reservation.

ARTICLE 7. The United States hereby agrees to furnish annually to the Indians who settle upon the reservation a physician, teachers, carpenter, miller, engineer, farmer, and blacksmiths, as herein contemplated, and that such appropriations shall be made from time to time on the estimates of the Secretary of the Interior as will be sufficient to employ such persons.

ARTICLE 8. No treaty for the cession of any portion of the reservations herein described, which may be held in common, shall be of any force or validity as against the said Indians, unless executed and signed by at least a majority of all the adult male Indians occupying or interested in the same; and no cession by the tribe shall be understood or construed in such manner as to deprive, without his consent, any individual member of the tribe of his right to any grant of land selected by him, as hereinbefore provided.

ARTICLE 9. It is agreed that the sum of five hundred dollars annually for three years, from the date when they commenced to cultivate a farm, shall be expended in presents to the ten persons of said tribe who, in the judgment of the agent, may grow the most valuable crops for the respective year.

Proclaimed 25th August, 1868.

[Extracts from treaty concluded October 28, 1867; proclaimed August 19, 1868.]

ARTICLE 8. When the head of a family or lodge shall have selected lands and received his certificate as above directed, and the agent shall be satisfied that he intends in good faith to commence cultivating the soil for a living, he shall be entitled to receive seeds and agricultural implements for the first year, not exceeding in value one hundred dollars; and for each succeeding year he shall continue to farm for a period

of three years more, he shall be entitled to receive seeds and implements as aforesaid, not exceeding in value twenty-five dollars.

And it is further stipulated that such persons as commence farming shall receive instruction from the farmer herein provided for; and whenever more than one hundred persons shall enter upon the cultivation of the soil, a second blacksmith shall be provided, with such iron, steel, and other material as may be needed. * * *

ARTICLE 10. And, in addition to the clothing herein named, the sum of twenty thousand dollars shall be annually appropriated for a period of thirty years, to be used by the Secretary of the Interior in the purchase of such articles as, from time to time, the condition and necessities of the Indians may indicate to be proper. And if at any time, within the thirty years, it shall appear that the amount of money needed for clothing, under this article, can be appropriated to better uses for the tribe herein named, Congress may, by law, change the appropriation to other purposes; but, in no event, shall the amount of this appropriation be withdrawn or discontinued for the period named. And the President shall, annually, detail an officer of the Army to be present, and attest the delivery of all the goods herein named to the Indians, and he shall inspect and report on the quantity and quality of the goods and the manner of their delivery.

[Act of Congress, February 28, 1877, to ratify an agreement with certain bands of the Sioux Nation of Indians, and also with the Northern Arapaho and Cheyenne Indians.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a certain agreement made by George W. Manypenny, Henry B. Whipple, Jared W. Daniels, Albert G. Boone, Henry C. Bulis, Newton Edmunds, and Augustine S. Gaylord, commissioners on the part of the United States, with the different bands of the Sioux Nation of Indians, and also the Northern Arapaho and Cheyenne Indians, be, and the same is hereby, ratified and confirmed: *Provided*, That nothing in this act shall be construed to authorize the removal of the Sioux Indians to the Indian Territory; and the President of the United States is hereby directed to prohibit the removal of any portion of the Sioux Indians to the Indian Territory until the same shall be authorized by an act of Congress hereafter enacted, except article four, and except also the following portion of article six: "And if said Indians shall remove to said Indian Territory hereinbefore provided, the government shall erect for each of the principal chiefs a good and comfortable dwelling-house," said article not having been agreed to by the Sioux Nation.

Said agreement is in words and figures following, namely:

Article of agreement made pursuant to the provisions of an act of Congress entitled, "An act making appropriation for the current and contingent expenses of the Indian Department, and for fulfilling the treaty stipulations with various Indian tribes, for the year ending June 30th, 1877, and for other purposes," approved August 15, 1876, by and between George W. Manypenny, Henry B. Whipple, Jared W. Daniels, Albert G. Boone, Henry C. Bulis, Newton Edmunds, and Augustine S. Gaylord, commissioners on the part of the United States, and the different bands of the Sioux Nation of Indians, and also the Northern Arapahoes and Cheyennes, by their chiefs and headmen, whose names are hereby subscribed, they being duly authorized to act in the premises.

ARTICLE 1. The said parties hereby agree that the northern and western boundaries of the reservation defined by article 2 of the treaty between the United States and the different tribes of Sioux Indians, concluded April 29, 1868, and proclaimed February

24, 1869, shall be as follows: The western boundaries shall commence at the intersection of the one hundred and third meridian of longitude with the northern boundary of the State of Nebraska; thence north along said meridian to its intersection with the south fork of the Cheyenne River; thence down said stream to its junction with the north fork; thence by the north fork of said Cheyenne River to the said one hundred and third meridian; thence north along said meridian to the south branch of the Cannon-ball River, or the Cedar Creek; and the northern boundary of the said reservation shall follow the said south branch to its intersection with the main Cannon-ball River; thence down the said main Cannon-ball River to the Missouri River; and the said Indians do hereby relinquish and cede to United States all the territory lying outside of the said reservation as herein modified and described, including all privileges of hunting; and article 16 of said treaty is hereby abrogated.

ARTICLE 2. The said Indians also agree and consent that wagon and other roads, not exceeding three in number, may be constructed and maintained, from convenient and accessible points on the Missouri River, through said reservation to the country lying immediately west thereof, by such routes as shall be designated by the President of the United States; and they also consent and agree to the free navigation of the Missouri River.

ARTICLE 3. The said Indians also agree that they will hereafter receive all annuities provided by the said treaty of 1868, and all subsistence and supplies which may be provided for them under the present or any future act of Congress, at such points and places on the said reservation, and in the vicinity of the Missouri River, as the President of the United States shall designate.

ARTICLE 4. The Government of the United States and the said Indians being mutually desirous that the latter shall be located in a country where they may eventually become self-supporting and acquire the arts of civilized life, it is therefore agreed that said Indians shall select a delegation of five or more chiefs and principal men from each band, which shall, without delay, visit the Indian Territory under the guidance and protection of suitable persons, to be appointed for that purpose by the Department of the Interior, with a view to selecting therein permanent homes for the said Indians. If such delegation shall make a selection which shall be satisfactory to themselves, the people whom they represent, and to the United States, then the Indians agree that they will remove to the country so selected within one year from this date. And the said Indians further agree in all things to submit themselves to such beneficent plans as the government may provide for them in the selection of a country suitable for a permanent home, where they may live like white men.

ARTICLE 5. In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States does agree to provide all necessary aid to assist the said Indians in the work of civilization; to furnish to them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868. Also, to provide the said Indians with subsistence, consisting of a ration, for each individual, of a pound and a half of beef (or, in lieu thereof, one half pound of bacon), one half pound of flour, and one half pound of corn; and for every one hundred rations, four pounds of coffee, eight pounds of sugar, and three pounds of beans; or, in lieu of said articles, the equivalent thereof in the discretion of the Commissioner of Indian Affairs. Such rations, or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves. Rations shall, in all cases, be issued to the head of each separate family; and, whenever schools shall have been provided by the government for said Indians, no rations shall be issued for children between the ages of six and fourteen years (the sick and infirm excepted), unless such children shall regularly attend school. Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted); and, as an incentive to industrious habits, the Commissioner of Indian Affairs may provide that such persons be furnished, in payment for their labor, such other necessary articles as are requisite for civilized life. The government will aid said Indians, as far as possible, in finding a market for their surplus productions, and in finding employment, and will purchase such surplus, as far as may be required, for supplying food to those Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of government work upon their reservations.

ARTICLE 6. Whenever the head of a family shall, in good faith, select an allotment of land upon such reservation, and engage in the cultivation thereof, the government shall, with his aid, erect a comfortable house on such allotment; and, if said Indians shall remove to the said Indian Territory as heretofore provided, the government shall erect for each of the principal chiefs a good and comfortable and substantial house.

ARTICLE 7. To improve the morals and industrious habits of said Indians, it is agreed that the agent, trader, farmer, carpenter, blacksmith, and other artisans employed or permitted to reside within the reservation belonging to the Indians, parties to this agreement, shall be lawfully married and living with their respective families on the

eservation; no persons other than an Indian of full-blood, whose fitness, morally or therwise, is not, in the opinion of the Commissioner of Indian Affairs, conducive to the relfare of said Indians, shall receive any benefit from this agreement, or former treat-es, and may be expelled from this reservation.

ARTICLE 8. The provisions of said treaty of 1868, except as herein modified, shall ontinue in full force, and, with the provision of this agreement, shall apply to any ountry which may hereafter be occupied by the said Indians as a home; and Con-ress shall, by appropriate legislation, secure to them an orderly government; they hall be subject to the laws of the United States, and each Indian shall be protected n his rights of property, and person, and life.

ARTICLE 9. The Indians, parties to this agreement, do hereby solemnly pledge them-elves, individually and collectively, to observe each and all the stipulations herein ontained, to select allotment of lands as soon as possible for their removal to their ermanent home, and to use their best efforts to learn to cultivate the same. And ney do solemnly pledge themselves that they will at all times maintain peace with he citizens and government of the United States; that they will observe the laws hereof, and loyally endeavor to fulfill all the obligations assumed by them under the reaty of 1868, and the present agreement, and to this end we will, whenever requested y the President of the United States, select so many suitable men from each band o co-operate with him in maintaining order and peace on the reservation as the President may deem necessary, who shall receive such compensation for their services s Congress may provide.

ARTICLE 10. In order that the government may faithfully fulfill the stipulation con-ained in this agreement, it is mutually agreed that a census of all the Indians affected ereby shall be taken in the month of December of each year, and the names of each ead of family and adult members be registered; said census to be taken in such man-er as the Commissioner of Indian Affairs may direct.

ARTICLE 11. It is understood that the permanent "reservation" herein contained hall be held to apply to any country which shall be selected under the authority of he United States as the future home of said Indians.

Signed on the part of the Arapahoes by Living Bear, Spotted Elk, Black Bear, Tur-key Legs and Calfskin Shirt.

Dated and signed at Spotted Tail Agency, Nebraska, September 23, 1876.

ESTIMATES AND APPROPRIATIONS.

Estimates and appropriations for the support of the Cheyennes in connection with several other tribes, and for the Northern Cheyennes and Arapahoes separately, for successive years.

For the Arapahoes, Cheyennes, Apaches, Comanches, Kiowas, and Wichitas.

1877:	
mount of estimate	$300,000
mount appropriated	250,000
1878:	
mount of estimate	300,000
mount appropriated	240,000
1879:	
mount of estimate	274,000
mount appropriated	240,000
mount of estimate, deficiency	30,000
mount appropriated, deficiency	30,000
1880:	
mount of estimate	300,000
mount appropriated	290,000
eficiency estimate now before Congress for action	80,000
1881:	
mount of estimate	350,000
mount allowed by the House	315,000

For fulfilling treaty with Cheyennes and Arapahoes.

1877:	
Amount of estimate	$52,200
Amount appropriated	52,200
1878:	
Amount of estimate	42,200
Amount appropriated	42,200
1879:	
Amount of estimate	42,200
Amount appropriated	40,600
1880:	
Amount of estimate	40,600
Amount appropriated	40,600

For fulfilling treaty with Northern Cheyennes and Arapahoes.

1877:	
Amount of estimate	$39,200
Amount appropriated	39,200
1878:	
Amount of estimate	36,700
Amount appropriated	36,700
1879:	
Amount of estimate	18,700
Amount appropriated	18,000
1880:	
Amount of estimate	55,500
Amount appropriated	53,000

FLIGHT OF THE DULL-KNIFE BAND.

SUMMARY OF EVENTS PRECEDING AND ATTENDING THEIR ESCAPE.

[Letter from the Commissioner of Indian Affairs to the Secretary of the Interior.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 23, 1879.

SIR: In compliance with your verbal request for a report in regard to the removal to the Indian Territory of the Northern Cheyennes in May, 1877, I have the honor to submit the following:

By the treaty of May 10, 1868, the Northern Cheyennes and Arapahoes agreed to remove to and settle on a reservation among the Crows, the Sioux, or the Southern Cheyennes and Arapahoes in the Indian Territory.

In the fall of 1873 delegations of the northern and southern branches of the tribes met in Washington, and effort was made to induce the former to accept the cordial invitation of the latter to share their reserve in the Indian Territory; but all overtures were met with decided opposition by the representatives of the northern tribes.

The next Indian appropriation act, approved June 22, 1874, contained a clause prohibiting the Northern Cheyennes and Arapahoes from receiving supplies until they should join the rest of their tribe in the south.

Before arrangements for complying with the terms of the act could perfected hostilities broke out in the Indian Territory between the uthern Cheyennes and Arapahoes—as well as the Kiowas and Co-anches—and the United States Government; and pending such hos-ities it was deemed inexpedient to undertake the removal of any dians thither. The Northern Cheyennes and Arapahoes were there-e required, before receiving any supplies or annuities, to enter into agreement to remove to the Indian Territory whenever the govern-nt should see fit. This agreement is dated Red Cloud Agency, No-mber 12, 1874.

In the next appropriation act, approved March 3, 1875, the restrictive nuse of the former act was repealed, and it was provided instead "that id Northern Cheyennes and Arapahoes shall, if required by the Secre-ry of the Interior, remove to their reservation in the Indian Territory fore the delivery of said supplies appropriated for by the foregoing auses."

The war in the Indian Territory closed in April, 1875, but steps to-ard effecting the removal were again postponed, because of pending egotiations with the Sioux to obtain the cession of the Black Hills, and he fear that a disturbance at Red Cloud Agency, which would be likely result from an attempt to remove the Northern Cheyennes and Ara-ahoes, would thwart the efforts of the Black Hills commission to obtain ne consent of the Indians to the proposed cession.

On the 16th of October, 1875, this office requested that an order be sued directing those Indians to remove, and that the honorable Sec-tary of War be requested to take measures to enforce their removal, case they should decline to obey the order of the department.

In reply, the honorable Secretary of War stated, under date of Novem-r 18, 1875, that the matter "has been referred to the military author-es for information, and that it is the opinion of General Sheridan the ange should not be made at this time."

Three months later, in February, 1876, the Sioux war broke out, in hich the Northern Cheyennes and a small portion of the Arapahoes ok prompt and active part as hostiles. The war continued till the ring of 1877, when it was virtually closed in May by the surrender at d Cloud Agency of the main body of the Cheyennes.

Meantime the Indian appropriation act of August 15, 1876, had again ade the delivery of supplies to these Indians contingent on their re-val south.

On the 17th of May, 1877, the office received copy of dispatch of May from General Sheridan to General Sherman, stating that the North-n Cheyennes, to the number of 1,400, desired to go to the Indian Ter-ory, and strongly urging their removal thither. The office, under te of the 18th of May, telegraphed to the adjutant-general its ap-oval of such removal, and on the 29th received telegram from Lieu-nant Lawton that he was *en route* with 972 Cheyennes, whose removal had been directed to superintend.

I also forward copy of telegram from General Sheridan, dated the 6th June, 1877, regretting the failure of the military authorities to com-etely disarm the Indians before sending them south, and directing eneral Pope to use his judgment in the matter on their arrival at Fort eno. With it is a copy of report of Major Mizner, commanding Fort eno, dated August 8, 1877, announcing the arrival of the Cheyennes the fort on the 5th, and their delivery by him to the United States dian agent of the Cheyenne and Arapahoe Agency.

Mention is made of their being required to surrender stock before

being turned over to the civil authorities, but no demand seems to have been made upon them for the surrender of retained arms.

The northern Arapahoes were shortly after removed to the Wind River Reserve in Wyoming.

When the Northern Cheyennes arrived at their new agency, they said that they had come there to try it and see how they liked it; that if they did not like it they would go back north again. Dull-Knife's band wanted the distribution of supplies made to the chiefs instead of to heads of families, as is the custom, and the first issue made to heads of families displeased them. Then they compelled the squaws to put the supplies received into a heap, and the chiefs helped themselves first and left the remainder to be divided among their inferiors and the women and children. Afterwards the agent took measures to prevent any further distributions of that kind and delivered only to heads of families. Previous to the 5th day of September, 1878, the agent received information that Dull-Knife and his party were about to go north. On the 5th Agent Miles informed Major Mizner of the fact, and requested that troops might be so placed as to prevent their escape. The same day Major Mizner sent out two companies of cavalry under Captain Rendlebrock, who encamped within four miles of Dull-Knife's band. In consequence of their halting at this distance from the Indian camp, the Indians were enabled to make their escape nine hours before the officer in command became aware of the fact. The particulars of the escape and the causes which led to the outbreak are more fully detailed in the reports herewith from Agent Miles, which fully refute the charge made by officers of the Army that the dissatisfaction of the Indians was caused by scanty and irregular rations, which matter I discussed at length in my report to you on the subject dated the 16th of November last.

The campaign against these hostiles on the part of the Army is well known, and also the surrender of the Indians, to the number of about 150, on the 20th of October last.

The subsequent history of those surrendered, and their escape from the military, with copies of the documents relating thereto, is covered by my communication to you of the 20th instant.

I have the honor to be, sir, very respectfully, your obedient servant,

E. A. HAYT,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

FIRST OFFICIAL REPORT OF THE AGENT.

UNITED STATES INDIAN SERVICE,
CHEYENNE AND ARAPAHOE AGENCY, IDAHO,
September 10, 1878.

SIR: I have the honor to report that on the 5th instant word was brought to me by a number of Indian police that some of the Northern Cheyennes had left the reservation with the intention of going north. Instructions were immediately given that all the Northern Cheyennes should report at this office the next day to the end that the exact number of those who had left the reservation could be ascertained; and information was also given Col. T. K. Mizner, commanding at Fort Reno, that the supposition was a party had left. Colonel Mizner immediately sent out a party of troops to watch movements and be prepared to take such steps as would seem necessary when the number of deserters had

been fully ascertained. On the 7th instant word was again sent them to move in and be enrolled, they not having complied with the first order. All that time they acknowledged that a party of about twenty-five were absent, but that this party had not gone off, but were hunting deer, &c., on the salt plains, and the supposition was that the delay was due to their desire to wait until this party returned.

Last evening a party of them came in and acknowledged three or four foolish young men had gone north, and stated that while they were all right they did not want to move in, fearing something bad would happen. They were assured that no harm would be done them; that the enrollment ordered was simply to enable this office to know if they spoke the truth; that it was not the desire of any one to injure in any way those who had remained, but simply to punish those who had left. While they were in the office Colonel Mizner came over from the post, and, confirming all I had told them of the purpose of the enrollment, further told them that his troops were near them without intent to injure one of them; that they must obey the orders they had received or suffer the consequences, and gave them until to-night to move into the agency and occupy the camping ground assigned them.

At 3 a. m. to-day the captain of Indian police and American Horse, one of the Northern Cheyenne chiefs, aroused me with the information that the majority of the disaffected Northern Cheyennes had left at about 10 p. m. last night, leaving their lodges standing. American Horse, with eight lodges, had withdrawn from the main body, with the loss of nearly all his property. Colonel Mizner was immediately notified, and this morning, at my request, the troops were started in pursuit, accompanied by fifteen Indian police as trailers and guides, and probably by other Indians, from whom the Cheyennes had stolen stock. The number which had left, as nearly as it is possible to tell until matters settle a little more, is 353, under the following chiefs, viz: Dull Knife, Wild Hog, Little Wolf, Crow Indian, Chewing Gum, Old Bear, Squaw, Black Horse, Day, and Red Blanket. Of the number gone, 92 are men, 120 women, 69 boys, and 72 girls.

This disaffection is confined entirely to the Northern Cheyennes, and the Southern Cheyennes give them neither encouragement nor assistance, and are in no wise affected by the action of those who have left.

Very respectfully,

JOHN D. MILES,
United States Indian Agent.

Hon. E. A. HAYT,
Commissioner Indian Affairs, Washington, D. C.

MONTHLY REPORT OF THE AGENT.

OFFICE UNITED STATES INDIAN AGENT,
CHEYENNE AND ARAPAHOE AGENCY,
Darlington, Idaho, September 30, 1880.

SIR: * * * About the 5th of the month information was given by Southern Cheyennes and Arapahoes that they were missing some of their best horses, and that they believed it was the Northern Cheyennes that were taking them, and that the thieves were with the band under the leadership of Dull Knife, Little Wolf, Wild Hog, and Old Crow. Subsequent information was to the effect that three young men from this

party had already gone north, and that others were preparing to follow; that there was being a party organized near the Salt Plains, where the stolen animals were being concentrated. With the view to ascertain the truth or falsity of these statements, an enrollment of all the male adults of the Northern Cheyennes was ordered, which was promptly obeyed by all the Northern Cheyennes who have affiliated with the Southern Cheyennes, but was stoutly refused by the Dull Knife party. Every effort was made by mild and firm measures to have them comply with the order, assuring them of our good intentions, but without the desired effect. To have included the women in the count, a very large majority of the band would have gladly submitted to the count and remained at the agency; but those in authority (the soldier element of the band) ordered it otherwise, and in order to resist an effort at a compulsory count they began the work of intrenching in the sand hills near their camps; but from some cause this plan was abandoned.

On the night of the 9th of the month they quietly packed their ponies and struck north, leaving their lodges standing. Troops from Fort Reno, Idaho, were sent in pursuit, with the view to bring them back to the agency. On the 13th of the month they were overtaken about fifty miles northeast from Camp Supply, on the Cimarron River. A battle was fought, in which the troops lost three killed and some wounded; Chalk, a friendly Arapahoe, who accompanied the troops as one of the guides and trailers, was mortally wounded. The loss sustained by the Indians is not known to this date. After this battle the Indians split up into small parties and, it is reported, have been raiding on the ranches and cattle herds on the border of Kansas and on the road between Dodge City, Kans., and Camp Supply, Idaho, killing some persons and wounding others. As soon as these Indians left the agency your office was notified by telegraph; also a prominent citizen in Dodge City, Kans., in order that they of the border might be early apprised of the approach of those who might do them injury.

According to the best information we have been able to get, up to this date, the number of those who have left does not exceed three hundred and fifty persons, of whom about ninety are men and the balance women and children (counting all under 14 years children). They did not affiliate with the Southern Cheyennes, and have at all times and on all occasions expressed their dissatisfaction with the country at this agency, and with almost everything connected with department regulations and their management, calling the other Indians of the agency "fools" for working and conforming to the ways of the whites, and expressing their preference to go back north, where they could have greater liberty.

In addition to these general grievances and other causes which they claim were promised them as part of the consideration in obtaining their consent to come to this country, I will say that the full list of rations named in their treaty of 1876 has not been furnished them. Yet they have never received less than three pounds, gross, of beef for ration, and in addition have received such other rations as were in store and issued to the other Indians of the agency, with the exception of two or three weekly issues (in May), when the issues of sugar and coffee were withheld from them in conformity with department circular No. 10, dated March 1st, 1878, and supplemental circular No. 13, dated April 15, 1878, requiring labor in lieu of rations. Aside from these instances there has been no difference in the issues at this agency. The issues have been made carefully and promptly as set forth in regulations, when the supplies have been in store, and complaints of "short rations" have been the exception, excepting from the Northern Cheyennes who left; and

they have had no real cause for complaint on this point. On this point I would respectfully refer to General Jno. McNeil, inspector, and Lieut. H. Sweeney, Fourth Cavalry, the latter having witnessed the deliveries of beef each week.

Standing Elk, Living Bear, and other leading chiefs of the Northern Cheyennes, have on all occasions expressed themselves well satisfied, who, with the Southern Cheyennes and Arapahoes, have invariably expressed their disapprobation of the course taken by the stampeding Cheyennes. They have counted them as a band of "thieving rascals," who were only anxious to get back among those of their own stripe.

* * *

(Signed) JOHN D. MILES,
United States Indian Agent.

Hon. E. A. HAYT,
Commissioner of Indian Affairs, Washington, D. C.

[From the annual report (1879) of General George Crook.]

HEADQUARTERS DEPARTMENT OF THE PLATTE,
Fort Omaha, Nebr., September 27, 1879.

SIR: Since my last annual report the outbreak of the Cheyenne Indians from their reservation in Indian Territory, coming as it did at a time when the main portion of the command was in the field in the northern part of the department watching for prowling bands of Sioux, occasioned serious trouble and danger to the settlements in Western Nebraska. Every available man was at once dispatched to intercept them or drive them back.

The expeditions commanded by Majors Thornburgh and Carlton did faithful and arduous work and met with as much success as might be expected in the pursuit of savages resolved at all hazards to escape, and thoroughly acquainted with every feature of the country. These Indians were entirely unencumbered with baggage, were well mounted, and stealing fresh horses from every stock ranch; and to catch them would be as hard a task as to catch a flock of frightened crows.

On the 23d October the greater part of the Cheyennes were met by Major Carlton's command in the sand hills about 40 miles southeast of Camp Sheridan, Nebraska, and after a parley surrendered. They said that they had left the Indian Territory on account of chills and fever and an insufficiency of food, and manifested a determination to die rather than be sent back, although they said they would gladly remain at peace with the whites if allowed to live in a healthy locality and treated with honesty and justice; and I am satisfied they never would have surrendered had they not thought that they would have been permitted to remain north. They adhered so firmly to their statements that it was impossible not to believe that there must have been some good grounds for their leaving the Indian Territory.

Among these Cheyenne Indians were some of the bravest and most efficient of the auxiliaries who had acted under General Mackenzie and myself in the campaign against the hostile Sioux in 1876 and 1877, and I still preserve a grateful remembrance of their distinguished services which the government seems to have forgotten.

In the arduous labor involved in the pursuit of these Cheyennes, I deem it my duty to speak in terms of warm commendation of the services rendered by the commands of Majors Thornburgh and Carlton and

that under Colonel Tilford, Seventh Cavalry, from the Department of Dakota, operating within the limits of this department.

The captured Cheyennes were taken to Fort Robinson, Nebr., and there confined in a set of company quarters. They repeated their expressions of desire to live at peace with our people, but said they would kill themselves sooner than be taken back to the Indian Territory. These statements were confirmed by Red Cloud and other friendly Sioux chiefs, who assured us that the Cheyennes had left their reservation in the Indian Territory to avoid fever and starvation, and that they would die, to the last man, woman, and child before they could be taken from the quarters in which they were confined. All this information was promptly reported to higher authority, and instructions urgently requested; but no action was taken until the very last days of December, when orders were received to remove them south. At this time the thermometer at Fort Robinson showed a range of from zero down to nearly 40° below (the freezing point of mercury). The captives were without adequate clothing, and no provision had been made to supply it until very late in the season, which occasioned a further delay until the beginning of January.

The Cheyennes had now become satisfied that their complaints would not be considered, and the situation of affairs became desperate. They demanded several times to be informed whether or not they were to be taken back south to the Indian Territory, and reiterated their determination to die rather than leave the post of Fort Robinson. Two or three of their party were anxious to yield, but their comrades threatened their lives if they made any attempt to leave the building. Every argument failed; every persuasion was tried. To have entered the building to seize the ringleaders would have been the signal for the commencement of a fearful and unnecessary carnage; the Indians had dug rifle-pits commanding all entrances, and were supplied with knives and slings, made by breaking the stoves in their quarters. Having tried every means in his power and failed, and there being no change in the orders from Washington, Captain Wessells, the officer in charge, had no alternative but a resort to harsh measures. He made overtures to the chiefs and head men to let the women and children come out from the building, so that they might not suffer in any conflict that might arise; but the Indians defiantly rejected every attempt at compromise, saying, "We'll all die here together sooner than be sent south."

Captain Wessells then stopped the issue of food and fuel, hoping to bring them more speedily to terms. I may say here that this measure, criticised by the rules for the *theoretical* management of Indians, seems to have been a severe one; but I ask, and I claim to have had as much experience in the management of Indian tribes as any man in this country, what alternative could have been adopted? During the twenty-seven years of my experience with the Indian question, I have never known a band of Indians to make peace with our government and then break it, or leave their reservation, without some ground of complaint; but until their complaints are examined and adjusted, they will constantly give annoyance and trouble.

In the present case, the Cheyennes claimed that they had been wronged, and had become as desperate as a pack of wolves. The Army had orders to take them back to the Indian Territory, and had no option in the matter. It seems to me to have been, to say the least, a very unnecessary exercise of power to insist upon this particular portion of the band going back to their former reservation, while the other fragments of the same band, which surrendered to the troops on the Yellowstone or escaped to

the Red Cloud and Spotted Tail Reservations, had been allowed to remain north unmolested, more especially since we have every reason to believe that the latter were the principal actors in the outrages perpetrated in Kansas, and know that they murdered several persons since the surrender of those confined at Fort Robinson.

About the dead of night, on the 9th of January, the Cheyennes made a sudden break through the windows and doors of their place of confinement, shooting down the sentinels with arms they had managed to obtain, and possessing themselves, in addition, of the carbines and revolvers of the soldiers killed. After this they moved in one compact mass toward the high bluffs back of the post, fighting desperately all the while, women with men. It was impossible, in the darkness, cold, excitement, and confusion, to avoid the deplorable results that might be expected. A number of the squaws were killed and wounded in the affray, although officers and men used every care to capture, where possible, without inflicting injuries, and a number of our men froze hands and feet while taking women and children back to the post.

It is unnecessary to enter more at length into this subject, as the reports, telegrams, and letters already in your office are complete and voluminous.

At present, affairs in the department are in a very satisfactory condition, the only trouble being with the Utes of the White River Agency, Colorado (to which point troops from this department have just been sent), and which trouble I hope may soon be adjusted.

The rapid construction of branches in Utah, Idaho, and Nebraska by the Union Pacific Railroad is doing much to reduce expenditures by lessening freight charges, and giving greater facilities for the transportation of troops.

The reports of the chiefs of the various staff departments contain accurate and complete information as to their workings. I invite attention to the various suggestions made, especially that by Colonel Royall, inspector-general, about commissary sergeants, that of Captain Stanton, engineer officer, about furnishing an annual allowance of $3,000 for the expenses of surveys in this department, and that of Major Burnham, judge-advocate, that he should be supplied with books of authority upon the various subjects coming within the scope of his duties.

Very respectfully, your obedient servant,

GEORGE CROOK,
Brigadier General, Commanding.

The ASSISTANT ADJUTANT-GENERAL,
MILITARY DIVISION OF THE MISSOURI,
Chicago, Ill.

OMAHA, NEBR., *November* 1, 1878.

To General P. H. SHERIDAN,
Commanding Military Division of Missouri, Chicago, Ill.:

Carlton telegraphs, "Colonel Merritt writes that Red Cloud wishes to visit prisoners here sent him and to come. Red Cloud requests their knives to be taken from them, as they will kill themselves if necessary to prevent returning south; also says those who committed outrages have already escaped north; that those captured had avoided committing outrages. I have every reason to believe that Red Cloud's opinion is correct."

GEO. CROOK,
Brigadier-General, Commanding.

[Indorsement.]

HEADQUARTERS MILITARY DIVISION MISSOURI,
Chicago, November 5, 1878.

Respectfully forwarded to the Adjutant-General of the Army.

It looks to me as if there was an unnecessary amount of sympathy in the Department of the Platte for these Cheyenne prisoners, and I wish to state also that I have had my suspicions that these Indians had some encouragement to come up before they were started. I sympathize with Indians as much as any one, but I think to encourage Indians in opposition to the policy of the government is a matter of doubtful propriety.

The condition of these Indians is pitiable, but it is my opinion that unless they are sent back to where they came from, the whole reservation system will receive a shock which will endanger its stability.

Most of the reservation Indians are dissatisfied, and if they can leave without punishment or fear of being sent back, they will not stay long.

These Indians certainly should be sent back to their reservation or those at the reservation should be permitted to come north.

P. H. SHERIDAN,
Lieutenant-General.

[Documents accompanying General Crook's report.]

FORT ROBINSON, NEBR., *Jan.* 15*th.*

General CROOK, *Omaha, Nebr.:*

Upon a full investigation of the recent Cheyenne troubles here, I find the facts as follows: On the 3d instant the head men were notified by Captain Wessells that the authorities in Washington decided that they must go back south. Without giving a decisive answer they retired to consult with their people. On the next day Hog, as spokesman, gave an unequivocal negative, saying, as had the others on numerous occasions, that they were resolved to die first. A few having been examined and professed willingness to go, were allowed to return to the prison for their effects, but were forcibly detained by the others. The attempt to starve and freeze them out was now the last and only alternative. On the 9th instant it was decided to arrest Hog as the leading oppositionist. He having been with difficulty induced to come out, was ironed, but after a struggle, in which a soldier was stabbed. The Indians in the prison, knowing of this, immediately barricaded the doors and covered the windows with cloth to conceal their movements, tearing up the floor and constructing rifle-pits to command all the windows. From this time the prison was like a den of rattlesnakes, and any white man who had shown his head in the room would have met certain death. It was supposed, of course, that the Indians had no arms other than a few knives. During the evening the building was as quiet as a grave, and the six sentinels who surrounded it suspected no danger. At ten minutes before ten o'clock four shots were fired from the west end of the building, killing two of the sentinels; shots were also fired from a front window into the guard-room, wounding a corporal. Simultaneously a rush was made through all the windows, the Indians sallying out resolved to kill and be killed, like Malays running a muck. The guard and other troops gave chase. The Indians moved south toward the creek, the squaws being driven in a mass ahead of the men, at least five of the

latter keeping up an incessant fire. It was in returning the fire that several women and children were killed. No woman or child was intentionally harmed, and, in fact, many officers and soldiers showed great daring in trying to save them. To take the men prisoners was impossible, as they all refused to surrender, and when exhausted stood at bay. Several soldiers lost their lives in trying to capture such men. No Indian was killed who could have been captured. When these Cheyennes were first captured they were partially disarmed, and several guns and pistols were taken from them. After they had entered the prison they had ample time to conceal arms under the floors, that place of deposit not being searched.

The prison had been so guarded that the theory of arms having been introduced subsequently to their incarceration is scarcely tenable; yet events proved that they had at least fifteen guns, in addition to two obtained from the dead sentinels, and some few revolvers. They are well supplied with knives. There are many proofs that a desperate outbreak was long premeditated. The squaws say that the men feared hanging if they returned south, and that in this affair all expected to die. From the time they knew their removal was decided upon they were in such a state of mind that were the movement to be attempted in any way it would simply be a question as to who should be killed, white man or Indian.

Casualties to date: Soldiers, killed, 5; wounded, 7. Indians, captured, 71; killed, 32.

A company resumed the trail to-day; another will start to-morrow. Please acknowledge receipt.

W. S. SCHUYLER,
Aid-de-Camp.

[Telegram.]

FORT ROBINSON, NEBR., *January* 16, 1879.

To General CROOK, *Omaha, Nebr.:*

The squaws refuse to talk; but I have interviewed Hog, Crow, and Left Hand. They say that all the young men, including those of their party, were actively engaged in the Kansas outrages, though the old men tried to restrain them; probably at least fifteen of those lately in prison here were engaged in those massacres. Hog and Crow repeat emphatically what I stated in my report, "that the Cheyennes would never have been gotten out of their prison alive after they knew that they had to go south." The cutting down their rations only made them more desperate, because it proved that the government would not change its determination; they feared to be sent to Florida, or otherwise severely dealt with; they say that the arms must have been taken apart and concealed in their clothing when first confined, though they refuse to give much information on this point; they also say that, if any of the fugitives escape the troops, it is uncertain where they will go, but probably to join Little Wolf, whom they believe to be in the vicinity of the Powder. * * *

W. S. SCHUYLER, *A. D. C.*

PURSUIT AND CAPTURE OF LITTLE WOLF'S BAND.

[Report of Lieutenant Clark.]

IN CAMP, FORT KEOGH, MONT.,
April 2, 1879.

SIR: I have the honor to submit the following report in regard to the operations of my command, which secured the capture of Little Wolf's band of Cheyennes, through their surrender on March 25, 1879. On February 22 I was ordered with Companies E and I, Second Cavalry, a detachment of one officer and 20 men and an artillery squad of one non-commissioned officer and two men, manning a Hotchkiss gun, and four Sioux scouts, to proceed to the vicinity of O'Fallon's Creek, there to establish camp and intercept the hostile Cheyennes. I had for transportation 10 wagons and 40 pack-mules; Sibley tents for the men when with the wagons, shelter-tents when I left them.

The inclosed map exhibits pretty accurately the marches, camps, and scouts made.

On my way down I established a picket of one non-commissioned officer and three men on Sheridan Buttes near mouth of Powder River, and after going into camp on Yellowstone near mouth of O'Fallon's Creek, I kept the country actively scouted near head of this creek and also over towards Cabin Creek. I arranged with ranchers and drivers on line of Bismarck and Keogh mail-route to give me promptly any information they might learn.

On February 27, the Yellowstone River suddenly rose some six feet and carried out the ice, though the thermometer had for a day or two previous indicated 33° below zero. This sudden flood compelled me to move to high ground on banks of O'Fallon's Creek.

On March 4, moved back to Powder River for the purpose of crossing rations and forage, the ice having broken in this stream on March 3d, leaving, however, a wide gorge of ice on the banks.

On March 7, two Sioux scouts, with Interpreter Fleury, who had been sent out on Bismarck mail-line from Fort Keogh, reported at my camp, and I detained them with me.

On March 8, I sent two Sioux scouts out to make an extended scout up Powder River to crossing of Black Hills and Keogh road, thence over to the Little Missouri on this road, then to go down this stream, and, if not finding trail before, to scout well towards Slim Buttes. On the 11th they returned to camp at 8 a. m., and reported as having seen some Indians hunting on foot about 50 miles up Powder River. I at once started out three scouts, including one of these who had brought in the report, to go and locate the village and indicate a point at about where I would meet them. Leaving tents standing with a small guard, taking ten days' rations on packs, and as much forage as possible; I left camp at 12 m., and marched out on Bismarck stage-line some 22 miles, which point I reached just at dark; from here I struck off for the pine bluffs and ridges near Powder River, thus crossing a high plateau of rolling prairie where my command could have been seen at a long distance if I had not crossed at night, and went into camp in a well-concealed position at 11 p. m. The night was intensely dark, and for a time rained heavily, making our progress slow and extremely difficult, and but for the Indian scouts we certainly could have done nothing.

The next day we advanced cautiously, keeping concealed well by winding amongst the bluffs, following ravines, &c., and at 4 p. m. met scouts I had sent out to locate the village, and they reported no signs, and I

went into camp. During the night it turned suddenly quite cold and snowed some four inches.

Believing no large body of Indians could have escaped observation from the second scouting party, and that some mistake had been made by the first, the next morning I ordered the command to move slowly back on our trail. I took six of the scouts, giving three of them an extra animal and rations, and thoroughly scoured the country adjacent to the point where the hostiles had been reported as having been seen; finding nothing which justified any further retention of the command, I sent Interpreter Fleury and two Indians "I had prepared for the trip" forward to complete the scout first ordered to the Little Missouri, &c., and rejoined my command and reached my tents at Powder River on March 14. During the trip some of the men were slightly frosted, but none seriously injured.

On the 17th, I asked for some Cheyenne scouts, and six were sent me, reaching my camp on the 19th. No suitable interpreter was sent with them. I asked to have one sent, but was informed, for misconduct, "Seminole," the only one at Keogh, had been discharged, and would not be re-employed. I sent for him to join me at my personal expense, as I deemed it very important and necessary that a perfect understanding should be had with these Cheyenne scouts. I told them of my orders; that I must capture or kill these hostiles; that possibly, by going with me, they could save their kinsfolk; that if I could surprise them and capture their stock, it might open their ears and they would surrender without fighting; if I could not surprise them, then, when I got very close, they could go into the camp, represent the danger of an engagement, the number of troops out after them, the extreme difficulty of crossing the streams to the north, and the indifferent welcome which they would probably receive from the Sioux; that the hostiles had left their agency in the south for reasons which I did not fully understand and could not explain to them; that it was claimed they had committed atrocities along the line of their march, and I knew some whites had been killed by them; that Little Wolf had been an enlisted scout under my command, and I thought would have confidence in any message he might get from me. I also said I had recommended that these hostiles be allowed to go to the Arapahoe Agency, but I could make no promises in regard to it. I could only say, give up ponies and guns, and I would not fight them. That, if after this understanding, they (the Cheyenne scouts) did not feel they could act earnestly in the matter with me, they could go back to the post.

One of the headmen replied that to shoot at these people (the hostiles) would be like going back and firing at the children in his own lodge; the other, Brave Wolf, said that he was a soldier, and though he had kin in the hostile village, he would do as he was ordered. I desired a perfect understanding with these scouts, as I felt they would be the means through which I must, in any event, at first communicate with the hostiles to secure a surrender either before or after a fight, and I hoped to secure a victory without loss of life, keenly appreciating the fact, however, that a victory gained at the expense of deception would indeed be dearly bought. I had just concluded this talk, or council, when one of the Sioux scouts, who had been sent over to the Little Missouri, came into camp. He told me the hostiles had captured his party on March 20, near mouth of Box Elder Creek; that they had built a little fire to cook coffee, when the grass caught and betrayed them to one of the hostiles who was in the immediate vicinity, and soon they were surrounded and taken into the hostile camp. They lied brilliantly

and successfully, and made the hostiles believe they were on their way to Sitting Bull's camp; that they had stolen the government stock, and that they would lead them to a good ford across the Yellowstone, and tell them where they could cross the Missouri, and would make their reception all right with Sitting Bull. The next morning he got one of the hostiles to go out hunting with him, and, at about noon, got away from him, and had ridden fast and hard to bring me the news. He had ridden, in fact, 125 miles in twenty-four hours.

I broke camp at 4 p. m., taking wagons and packs, and marched 22 miles on Bismarck stage road and went into camp at 11 p. m., and soon after Fleury and the other Sioux scout who had been captured came into camp, having escaped that morning. Fear had also given them good spurs, and they had ridden 90 miles that day.

Believing that the hostiles would at once feel convinced that they had been deceived and would turn back or press hurriedly forward and try and cross the Yellowstone before I could reach them, I left the wagons at this point, and taking eight days' rations and as much forage as possible, on packs, marched 45 miles. The next day I sent three Cheyenne scouts and two Sioux on to learn what they could about the trail and location of the village.

On March 24, after I had made some 35 miles, I met the two Sioux scouts returning. They reported the trail as turning back and recrossing "Hole in the Rock Creek," and that the three Cheyenne scouts had continued on the trail. I went forward about 10 miles and camped on this creek. My scouts told me that the hostiles had undoubtedly become convinced soon after the escape of the prisoners that troops were in the country after them, and were making for a particularly strong place well known to both the Cheyenne and Sioux Indians. The place may possibly be identical with what is put down on the map as "Hole in the Rock," but it appears nearer the mouth of Box Elder Creek.

The next morning I struck an old camp of the hostiles, two days old, after I had marched some three miles, and about two miles further two of my Cheyenne scouts met me, bringing three of the hostiles with them; said they went into the camp during the night, and had delivered my terms, which the hostiles said they would accept. The Three Cheyennes brought to me corroborated the statement but desired me to go into camp where I was, and their village would move over and join me; that if I marched up to their camp the women and children might get frightened, and there might be some trouble. I declined, of course, to do anything of this sort, but selected the two head men Brave Wolf and Two Moon, of my Cheyenne scouts, to ride on ahead and renew briefly, kindly, and firmly my terms, and bring Little Wolf out to meet me as I approached the village with my command.

This the scouts did, and Brave Wolf added to the message in delivering it, "I love the soldiers of Keogh; I go with them to fight all their enemies, and if you will not listen you will force me to fight my own people, for you are my kinsfolk."

Little Wolf met me about half a mile from his camp, and said he would accept the terms offered by my scouts, and that he was glad to meet me again. I marched my command to within one hundred yards of the village, which was in a natural fortress, and they had strengthened it by breastworks of stone and dirt, and put my forces in the next best and strongest position about there, both for their protection and to attack in case there should be any necessity for such a measure. After about an hour, to allow the excitement to wear away and give my Cheyenne scouts time to talk the matter over with them, I went over to the camp,

taking off my arms, to show them that I had confidence in them, and briefly told them in council what they must do, as far as I was concerned. That I had told my scouts to give them no lies, and I hoped they had done so, as I told them; that the guns and ponies must be given up. This was the price of peace, and they must pay it. I wanted the guns then, and would take the ponies when we reached Keogh; that I was truly and heartily glad we had arranged this matter without loss of life on either side; they had ears and sense; they must listen and use their reason; there were many troops and Indian scouts in the country, and I thought they were wise to surrender.

Little Wolf said, in reply, "Since I left you at Red Cloud we have been south, and have suffered a great deal down there. Many have died of diseases which we have no name for. Our hearts looked and longed for this country where we were born. There are only a few of us left, and we only wanted a little ground, where we could live. We left our lodges standing, and ran away in the night. The troops followed us I rode out and told the troops we did not want to fight; we only wanted to go north, and if they would let us alone we would kill no one. The only reply we got was a volley. After that we had to fight our way, but we killed none who did not fire at us first. My brother, Dull Knife, took one-half of the band and surrendered near Camp Robinson. He thought you were still there and would look out for him. They gave up their guns, and then the whites killed them all. I am out in the prairie, and need my guns here. When I get to Keogh I will give you the guns and ponies, but I cannot give up the guns now. You are the only one who has offered to talk before fighting, and it looks as though the wind, which has made our hearts flutter for so long, would now go down. I am very glad we did not fight, and that none of my people or yours have been killed. My young men are brave, and would be glad to go with you to fight the Sioux."

One or two others followed with similar remarks. They were suspicious, and the idea of giving up guns at once startled them, and in the fear of this to them immediate danger forgot the future, and failed to ask me any questions about staying in the northern country. I therefore held them to the terms as long as I deemed judicious, and then compromised on my wagons as to the place of giving up guns, to which they agreed. I felt that from this time out they could camp where I told them, and I could reverse our present position; and though I had no fear whatever of trouble, I deemed it best to secure this advantage at once. I therefore told them to pack up and we could move out a short distance this afternoon. We moved about six miles and camped. I issued them some rations, and Dr. Sabin kindly looked after their sick and cared for their wounded; and by the time we reached our wagons, a great deal of confidence had been restored and good feeling nearly established.

At this point they surrendered the following arms: 4 Springfield carbines, caliber .45; 3 Springfield rifles, caliber .50; 4 Sharpes' carbines, caliber .50; 1 Sharp's rifle, caliber .50; 4 Sharp's rifles, caliber .45; 1 muzzle-loading rifle; 3 Winchester-Henry repeating carbines, caliber .45; 3 Colt's revolvers, caliber .45; 2 Smith & Wesson revolvers, caliber. 45; 5 Colt's revolvers, caliber .44 and .31; and 1 Remington revolver.

They had expended a good deal of ammunition since they surrendered, as I had allowed them to hunt each day. I permitted the matter to rest as though I was perfectly satisfied and convinced that all arms had been given up. I however told some of my scouts to examine privately after arms, and secured the services of Brave Wolf's brother,

a young man in Little Wolf's band, to ascertain if any arms had been withheld; none could be found in this way.

On the morning of April 1, about six miles from post I halted the command. I had ordered Lieutenant Tillson with his detachment to remain in rear of the Indians; ordered Lieutenant Kingsbury with his company pretty well out to the right, and Company E, Second Cavalry, to the left, thus quietly forming a sort of hollow square, with enlisted scouts in front, and apparently as the accidental result of a halt for the Indians to close up. I then called Little Wolf and all his men to me and they formed, as usual, in a circle around me, seated on the ground. I told them that the orders were positive and imperative in regard to arms; I had no option in the matter; that I must not only satisfy myself, but I must take such measures as would satisfy those who issued the orders in regard to the terms through which they secured peace. Enumerating the arms surrendered when I reached the wagons, and that it was only natural to suppose that 33 men would have more than 30 stand of arms; that at that time some of them were troubled with suspicions and distrust, and it was perfectly natural they should try and retain some of their arms to protect themselves from the imaginary dangers, and those who had so retained arms must now give them up. They said they had given up all they had. I asked them if they could all arise, throw back their blankets, and show me that none of them had arms on their persons; they said they could, and did. I then had my scouts examine every pack and bundle, and they could find no arms. I had concluded that if they had any pistols they would naturally wear them on the day of reaching the post, as, of course, there would be more or less uncertainty in their minds as to what disposition would be made of them, and that this measure would effect as complete a disarmament as could be secured.

I reached the post at 11 a. m., and camped the two companies with the Indians, awaiting further instructions.

While the command was out the thermometer indicated 33° below zero; it has snowed and rained, and the ice has gone out of the streams, leaving them swollen, difficult and dangerous to ford.

No men were lost, and but two condemned quartermaster's horses abandoned; and the stock generally is in better condition to-day for a long trip than when I left the post.

I desire, in conclusion, to express my sincere thanks to Lieutenant Kingsbury, commanding Company I, Second Cavalry, Lieutenant Tillson, commanding the detachment of 20 men and artillery squad, and Acting Assistant-Surgeon Sabin for the prompt, hearty, and efficient manner in which they have carried out all my orders, performed all duties while on the campaign, the cheerful and uncomplaining way they have endured all its hardships.

I cannot speak too strongly in praise of the prompt and willing way in which the men of the command have performed every duty, and the earnest, sincere, and efficient manner in which the Indian scouts and interpreters, both Sioux and Cheyennes, have aided and assisted the campaign to a successful termination, for without their aid and hearty co-operation, as I have before reported, I could have done nothing.

I am, sir, very respectfully, your obedient servant,

W. P. CLARK,
First Lieutenant Second Cavalry.

POST ADJUTANT,
Fort Keogh, Mont.

REMARKS OF SECRETARY SCHURZ.

[The following remarks made by Secretary Schurz before the Senate Committee on Indian Affairs, in connection with the preceding dispatches and letters, (and some to follow, under the heading of "Food supplies"), are those to which the Secretary refers in his remarks to be found in the accompanying testimony, May 15.]

Senator ALLISON. Have you any information as to the treatment of these Cheyennes at Camp Robinson after they were placed there under the surveillance of the military and up to the time that they broke out?

Secretary SCHURZ. The Interior Department having absolutely nothing to do with them during that period, while they were under the control of the Army, I have no knowledge of the facts you refer to, except such as is derived from newspaper reports, and that knowledge is doubtless also in the possession of the committee.

Senator ALLISON. Will you express any opinion with reference to the treatment of the Cheyenne prisoners at Camp Robinson previous to the outbreak there?

Secretary SCHURZ. I repeat that the Interior Department had no control over them at all at that time. I may say that my own opinion coincides with that expressed by General Sheridan as to the policy of returning the prisoners to the Indian Territory, when he says that "unless they are sent back the whole reservation system will receive a shock which will endanger its stability." It was, therefore, necessary that the Indians should be taken back to their reservation. As to other things which happened there, as is reported, I am of the opinion that in every respect it would have been better to treat the prisoners well than to treat them harshly. I think that freezing and starving them was not the way to reconcile them to their fate. If there were any turbulent and mischievous spirits among them, disposed to excite the rest to resistance, the way to avoid trouble would have been to separate the unruly persons from the rest, and to treat all as kindly as possibly. The removal in two separate parties could thus have been accomplished without difficulty. A measure like this, it seems to me, would have suggested itself at once.

There has been some unfavorable criticism in the newspapers on the delay in their removal. In reference to this, I desire to say that about the middle of November, long before the outbreak at Camp Robinson took place, the Commissioner of Indian Affairs recommended the removal of the prisoners to Fort Wallace, in Kansas, and that recommendation, with my approval, was forwarded shortly afterward to the War Department for the action of the military authorities, who had control of the captives. What the reasons were that caused the delay in the action of the military I do not know.

December 27, 1878, the Indian Office received information from the War Department that a number of the captive Cheyennes were destitute of clothing. Inquiry was made how many of them needed clothing, and orders were given that the clothing should be bought. This clothing could not be furnished at once, for the reason that after the annuity goods are delivered we cannot, on account of our appropriations, keep any stock of clothing on hand upon which to draw in emergencies. If the military authorities at Camp Robinson had applied for such clothing before, it would have been furnished sooner; but if there was any suffering on account of the want of it, it would undoubtedly have been practicable for them to furnish the Indians some spare Army blankets to provide for the immediate necessity. As the captive Cheyennes were under the exclusive control of the military, we had no information about their needs, unless it came through the military authorities themselves.

Senator OGLESBY. Are you satisfied from correspondence and infor-

mation from the Commissioner of Indian Affairs and the Indian agent at the Cheyenne and Arapahoe Agency, where these Northern Cheyennes were located in the Indian Territory, that the supplies and rations they were entitled to under the treaty of 1868 were delivered to them?

Secretary SCHURZ. That is my opinion, based upon the detailed reports about that matter from Agent Miles, and the investigation made by the Commissioner of Indian Affairs. The official reports bearing upon that point are among the papers I have submitted.

FOOD SUPPLIES.

ESTIMATES AND RECEIPTS FOR 1878.*

Estimate for supplies required for the Cheyenne and Arapahoe Indians, at the Cheyenne and Arapahoe Agency, for the year ending June 30, 1878; 3,800 *Indians.*

Articles.	Quantity required.	Average cost in 1876.	Total cost.
Beef, gross (3 pounds per ration) ..... pounds	4,361,000	$1 86½	$81,441 67½
Flour ..... do.	693,000	2 97	20,596 95
Bacon ..... do.	40,000	9 55	3,820 00
Lard ..... do.	10,000	12½	1,250 00
Coffee ..... do.	55,480	20	11,096 00
Sugar ..... do.	110,960	9 60	10,652 16
Tobacco ..... do.	5,000	55	2,750 00
Baking-powders ..... do.	3,000	30	900 00
Rice ..... do.	1,000	06	60 00
Soap ..... do.	10,000	04	400 00
Salt (8,400 pounds net) ..... barrels	30	0½	63 00
Total			153,029 78½

* Referred to in the testimony as Exhibit M.

Estimate for subsistence for 1,470 *Northern Cheyennes for the fiscal year ending June* 30, 1878. *For* 365 *days*—536,550 *rations.*

Articles.	Quantity per ration.	Total quantity.
		Pounds.
Beef, gross	4 pounds per ration	2,146,200
Bacon, net	10 pounds per 100 rations	33,655
Lard, net	5 pounds per 100 rations	10,000
Flour	½ pound per ration	2,682,275
Coffee	4 pounds per 100 rations	21,462
Sugar	8 pounds per 100 rations	42,924
Baking-powders	¼ pound per 100 rations	2,682
Salt	1 pound per 100 rations	5,365
Soap	1 pound per 100 rations	5,365
Tobacco	½ pound per 100 rations	2,682

Amount of stores received on the foregoing estimate.

Articles.	Quantity per ration.	Total quantity.
Beef, gross	3 pounds per ration	4,413,578 pounds gross.
Flour, net	½ pound per 100 rations	665,625 pounds net.
Bacon, net	10 pounds per 100 rations	82,574 pounds net.
Lard, net	5 pounds per 100 rations	10,005 pounds net.
Coffee, net	4 pounds per 100 rations	34,962 pounds net.
Sugar, net	8 pounds per 100 rations	85,169 pounds net.
Baking-powders	¼ pound per 100 rations	3,521 pounds net.
Salt	1 pound per 100 rations	12,040 pounds net.
Soap	1 pound per 100 rations	8,480 pounds net.
Tobacco	½ pound per 100 rations	4,500 pounds net.
Rice	Mission school	1,248 pounds net.

J. D. MILES, *Agent.*

AGENCY ESTIMATE FOR 1879.*

[Department circular calling for estimates.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 6, 1878.

: : You will please make hereon (and return to this office without) a careful and complete estimate of supplies required for your :y.

ı will accompany your estimate with a report as to the kind, qual- nd quantity of the supplies furnished during the present fiscal and as to whether they have been satisfactory to the Indians.

ı will bear in mind that your estimate is for the whole year, and I expect it to be so complete that additional or supplementary esti- ; for purchases by contract or in open market will be entirely un- sary, and the data that should be on file in your office will enable o meet my expectations in this regard. Your will base your esti- upon your last appropriation.

E. A. HAYT,
Commissioner.

imate of Agent Miles for supplies, in accordance with the foregoing circular.]

te for supplies required for the Cheyenne and Arapahoe Indians, at the Cheyenne and Arapahoe Agency, for the fiscal year ending June 30, 1879.

ines and Arapahoes (including 970 Northern Cheyennes), 5,004 persons, 365 days, or 1,826,460 rations.]

Articles.	Quantity furnished in 1877-'78.	Quantity required for 1878-'79.	Average cost in 1877.	Total cost.
	Pounds.	*Pounds.*		
per 100)	75,000	100,000	$8 87½	$8,875 00
er 100), gross	4,400,000	7,305,840	2 00	146,116 80
per 100)	.....	54,793	4 50	2,465 68
-powder	3,529	9,132	27	246 56
er 100)	150,000	913,230	1 50	13,698 45
	34,962	73,058	20	14,611 60
per 100)	532,500	913,230	4 03	36,813 16
	.....	2,500	04	100 00
	10,000	20,000	12½	2,500 00
	1,248	2,500	05¾	143 75
	.....	100	30	30 00
o	4,500	9,132	53	4,839 96
bbls	12,040	18,264	1 60	104 00
	8,600	18,264	05	913 20
	.....	9,132	04	365 28
	85,169	146,116	11¼	16,620 68
Total cost of supplies				$248,444 12

*Referred to in the testimony as Exhibit M.

RECEIPTS AND REQUIREMENTS FOR 1879.

Statement showing amounts of subsistence required for, purchased and contracted for, received, due, and on hand December 1, 1878, *and amounts required to supply Indians of Cheyenne and Arapahoe Agency, Indian Territory, during remainder of fiscal year ending June* 30, 1879; 5,004 *Indians*, 365 *days*, 1,826,460 *rations.*

	Bacon.	Baking-powder.	Beans.	Beef, gross, 4 pounds per ration.	Corn.	Coffee.	Flour.	Lard.	Salt.	Soap.	Sugar.	Tea.	Tobacco.	Soda.
Amounts estimated for and required	100,000	9,132	54,793	7,305,840	913,230	73,058	913,230	20,000	18,264	18,264	146,116	100	9,132	9,132
Amounts purchased and contracted	*40,000	1,501	19,870	†4,687,500	‡187,500	38,013	‡750,000	10,000	.....	10,000	80,028	42	*	.....
§Amounts received	39,625	1,501	19,656	2,378,545	.....	38,015	177,896	10,000	.....	10,000	80,028	42	4,472	.....
On hand July 1, 1878	17,622	.....	.....	.....	58,570	.....	8,896	5,320	462	.....	2,057	.....	.....	.....
Received on previous years' purchases	.....	.....	.....	.....	.....	15,002	41,587	.....	.....	.....	32,245	.....	.....	.....
Amount due on contracts and on hand Dec. 1, 1878	32,865	317	13,572	2,308,955	187,500	27,026	572,104	2,689	.....	5,216	66,339	5	2,625	.....
Amount required to July 1, 1879	55,892	5,589	33,534	3,353,532	58,922	44,714	558,922	27,946	11,178	11,178	89,428	75	5,589	.....
Deficiency	23,027	5,272	19,962	‖1,044,577	371,422	17,688	.....	25,257	11,178	5,962	23,089	70	2,964	.....

*No invoices received.

†(C. Hood.) Includes 25 per cent. additional to amount of contract.

‡Includes 25 per cent. additional to amount of contract.

§Dates of receipts: Bacon, November 18, 1878; baking-powder, October 9, 1878; beans, September 17, 1878; beef, gross, from July 1, 1878; coffee, August 24, 1878; flour, from August 29, 1878; lard, August 14, 1878; soap, August 24, 1878; sugar, August 31, 1878; tea, September 12, 1878; tobacco, September 14, 1878.

‖The above deficiency of 1,044,577 pounds was supplied in May and June, 1879, by R. D. Hunter, under his contract for beef for the fiscal year ending June 30, 1880.

Cost: Bacon, estimated, $4,400.00; baking-powder, $352.81; beans, $546.42; beef, $126,328.12; corn and flour, $27,262.50; coffee and sugar, $12,069.94; lard and soap, $1,290.00; tea, $11.13; tobacco, estimated, $2,346.00; total $174,496.92.

CHEYENNE AND ARAPAHOE AGENCY, INDIAN TERRITORY, *November* 27, 1878.

BEEF ISSUED IN 1879.

tement of beef issued to Cheyenne, Arapahoe, and Northern Cheyenne Indians, at Cheyenne and Arapahoe Agency, Indian Territory, by John D. Miles, United Staets Indian Agent, during the year ending June 30, 1879:*

ntract of Calvin Hood, beef, gross pounds		4,784,078
ficiency on same contract (May and June)		1,000,000
Total for year		5,784,078
mber of Indians present, from July 1 to December 31, 1878	5,004	
mber of Indians present from January 1 to June 30, 1879	5,223	
st six months, 185 days, at 3 pounds per ration, pounds	2,777,220	
st six months, 180 days, at 3 pounds per ration	2,820,420	
Total amount due		5,597,640
cess issued in lieu of other rations, short, and also to Indians laboring, as er circulars 10 and 13, series of 1878		186,438

FLOUR ISSUED IN 1879.

tement of flour issued to Cheyenne, Arapahoe, and Northern Cheyenne Indians, at Cheyenne and Arapahoe Agency, Indian Territory, by John D. Miles, United States Indian Agent, during the year ending June 30, 1879.†

ntract of A. A. Newlin, flour, net, pounds	600,000
per cent. additional to above contract, pounds	150,000
Total for year	750,000

* Referred to in testimony as Exhibit A.
† Referred to in testimony as Exhibit B.

WEEKLY ISSUES DURING 1879.*

Statement showing number and weekly issues of subsistence made to Northern Cheyennes for the fiscal year ending June 30, 1879.

Date.	No. of people.	No. of rations.	Bacon.	Baking-powder.	Beans.	Beef cattle.	Beef, gross.	Coffee.	Corn.	Flour.	Lard.	Salt.	Soap.	Sugar.	Tobacco.
1878.			*Lbs.*	*Lbs.*	*Lbs.*	*No.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs.*	*Lbs*	*Lbs.*	*Lbs.*	*Lbs*	*Lbs.*
June 29	970	6,790	970	.....	.....	24	20,370	.....	.....	3,395	...	68	.....	.....	.....
July 6	970	6,790	679	.....	.....	22	20,370	.....	.....	3,395	...	68	.....	.....	.....
July 13	970	6,790	679	.....	.....	23	20,370	.....	.....	3,395	...	...	.....	.....	.....
July 20	970	6,790	679	.....	.....	20	18,694	271	.....	3,395	...	...	.....	542	.....
July 27	970	0,790	679	.....	.....	22	20,370	271	1,698	1,697	...	...	.....	542	.....
Aug. 3	970	6,790	400	.....	.....	23	20,370	271	3,395	.....	141	...	.....	.....	.....
Aug. 10	970	6,790	.....	.....	.....	22	20,370	96	3,395	.....	340	...	.....	.....	.....
Aug. 17	970	6,790	.....	.....	.....	30	25,612	.....	490	.....	...	...	.....	.....	.....
Aug. 24	970	6,790	.....	.....	.....	23	20,370	271	.....	.....	.....	.....	.....	541	.....
Aug. 31	970	6,790	.....	.....	....	28	23,765	271	.....	.....	...	.....	68	542	.....
Sept. 7	970	6,790	.....	...	.....	22	20,370	271	.....	3,395	.....	.....	68	542	.....
Sept. 14	667	4,669	.....	.....	.....	17	14,007	186	.....	2,335	...	.....	47	372	25
Sept. 21	667	4,669	.....	.....	.....	18	14,007	186	.....	2,335	232	...	47	372	25
Sept. 28	667	4,669	.....	.....	.....	17	14,007	186	.....	2,335	232	.....	47	372	25
Oct. 5	667	4,669	.....	.....	.....	18	14,007	186	.....	2,335	232	.....	47	372	25
Oct. 12	667	4,669	.....	.....	.....	18	14,007	186	.....	2,325	232	.....	47	372	25
Oct. 19	667	4,669	.....	23	.....	18	14,008	186	.....	.....	232	.....	47	372	25
Oct. 26	683	4,781	.....	24	....	18	14,343	191	.....	2,390	....	.....	48	382	24
Nov. 2	683	4,781	.....	24	143	16	14,343	191	.....	2,390	....	.....	48	382	24
Nov. 9	683	4,781	.....	24	143	18	14,343	191	.....	2,390	....	.....	48	382	24
Nov. 16	683	4,781	.....	24	143	18	14,343	191	.....	2,390	....	.....	48	382	24
Nov. 23	683	4,781	478	24	143	18	14,343	191	.....	1,780	....	.....	48	382	24
Nov. 30	683	4,781	478	24	143	20	19,005	191	.....	1,160	....	.....	48	382	24
Dec. 7	683	4,781	478	24	143	18	14,343	191	.....	4,781	....	.....	48	382	24
Dec. 14	905	6,335	634	31	190	24	19,005	253	.....	3,168	....	.....	63	506	31
Dec. 21	905	6,335	634	....	190	24	19,005	253	.....	3,168	...	...	63	506	31
Dec. 28	905	6,335	634	....	190	24	19,005	253	.....	3,168	...	..	63	506	31
1879.															
Jan. 4	905	6,335	634	....	190	23	19,005	253	.....	.....	..	....	63	506	31
Jan. 11	905	6,335	634	....	190	24	19,005	253	.....	.....	....	....	63	506	31
Jan. 18	905	6,335	634	....	190	20	17,060	253	.....	3,168	....	....	63	506	31
Jan. 25	905	6,335	634	....	190	24	19,006	253	.....	3,168	....	....	63	506	31
Feb. 1	905	6,335	634	....	190	24	19,005	253	.....	3,168	....	....	63	506	31
Feb. 8	905	6,335	.....	...	190	24	19,005	253	.....	3,168	317	....	63	506	31
Feb. 15	905	6,335	634	....	190	24	19,005	253	.....	3,168	....	....	63	506	31
Feb. 22	905	6,335	.....	....	190	24	19,005	253	.....	3,168	....	....	63	506	31
Mar. 1	905	6,335	.....	....	190	24	19,005	253	.....	3,168	....	....	63	506	31
Mar. 8	905	6,335	.....	.....	.....	25	19,005	252	.....	3,168	...	....	63	506	31
Mar. 15	905	6,335	.....	.....	.....	25	19,005	252	.....	3,168	....	....	63	506	31
Mar. 22	905	6,335	.....	.....	.....	25	19,005	252	.....	3,168	...	....	....	506	.....
Mar. 29	905	6,335	65	....	127	25	19,005	252	.....	3,168	....	....	....	506	.....
April 5	905	6,335	.....	.....	.....	25	19,005	252	.....	3,168	....	63	....	506	31
April 12	905	6,335	.....	....	90	25	19,005	252	.....	3,168	316	63	....	506	31
April 19	905	6,335	.....	.....	.....	24	19,005	.....	.....	3,168	...	63	....	506	31
April 26	905	6,335	.....	.....	.....	30	25,340	.....	.....	.....	....	63	....	506	.....
May 3	905	6,335	.....	.....	.....	24	19,005	.....	.....	3,168	....	63	....	506	.....
May 10	905	6,335	.....	.....	.....	24	19,005	.....	.....	3,168	....	63	....	.....	.....
May 17	905	6,335	.....	.....	.....	25	19,005	.....	.....	3,168	....	63	....	.....	.....
May 24	905	6,335	.....	.....	.....	30	26,318	.....	.....	3,168	....	63	....	.....	.....
May 31	905	6,335	.....	32	.....	24	19,005	252	3,168	3,168	....	63	....	506	32
June 7	905	6,335	.....	32	....	24	19,005	252	.....	3,168	....	63	....	506	32
June 14	905	6,335	.....	32	.....	24	19,005	252	.....	3,168	....	63	....	506	32
June 21	905	6,335	634	32	.....	23	19,005	252	.....	3,168	....	63	....	.....	32
June 28	905	6,335	634	32	....	23	19,005	252	.....	3,168	...	63	....	.....	32
Total	45,698	319,886	12,559	352	3,355	1,201	982,980	10,083	12,146	129,996	873	955	1,636	19,730	1,024

* Referred to in the testimony as Exhibit L.

Articles.	number of Indians, 5,940.			Indians for 325 days.			number of Indians, 5,004.		
	Supply required for one year.	Purchased and contracted for.	Deficiency.	Supply required for one year.	Purchased and contracted for.	Deficiency.	Supply required for one year.	Purchased and contracted for.	Deficiency.
Beef	4,320,870	3,000,000	1,320,870	5,364,750	4,400,000	964,750	5,479,380	3,750,000	1,729,380
Flour	720,145	260,000	460,145	894,125	532,500	361,625	913,230	600,000	313,230
Corn	720,145	.....	720,145	894,125	150,000	744,125	913,230	150,000	763,230
Sugar	115,222	44,019	71,203	143,060	85,169	47,891	146,116	80,028	66,088
Coffee	57,611	21,936	35,675	71,530	34,962	36,568	73,058	38,018	35,040
Beans	43,208	.....	43,208	53,647	.....	53,647	54,793	19,870	

*Referred to in the testimony as Exhibit O.

Allowance to each 100 rations: 300 pounds fresh beef, gross, 8 pounds sugar, 50 pounds flour, 50 pounds corn, 4 pounds coffee, 3 pounds beans. Received June 30, 1878, 10,236 pounds coffee, 27,331 pounds sugar, to apply on fiscal year ending June 30, 1879.

THE CALVIN HOOD CONTRACT FOR BEEF.

[The essential portions of the Calvin Hood contract for supplying the Indian Bureau with beef are as follows:]

This agreement, made and entered into this 21st day of June, one thousand eight hundred and seventy-eight, by and between Wm. M. Leeds, Acting Commissioner of Indian Affairs, for and on behalf of the United States of America, party of the first part, and Calvin Hood, of Emporia, Kansas, party of the second part, for himself, his heirs, executors, administrators, and assigns, witnesseth:

That the said parties have covenanted and agreed, and by these presents do covenant and agree, to and with each other, as follows:

ARTICLE 1. That the said party of the second part, for himself, his heirs, executors, and administrators, hereby covenants and agrees with the said party of the first part to furnish and deliver, at the places herein designated, to such agent or agents of the United States as may be appointed to receive them, beef cattle, on the hoof, in the quantities and at the prices herein stated, and subject to such inspection by Army officers, or otherwise, as may be deemed necessary by the party of the first part, as follows:

Quantity.	Place of delivery.	Price per 100 pounds, gross weight, less 20 per ct. for cows.
Eight million eight hundred and five thousand (8,805,000) pounds gross.	Cheyenne & Arapahoe, Kiowa, Comanche, & Wichita, Osage, Pawnee, Ponca. Kaw, Quapaw, and Sac & Fox Agencies, Indian Territory.	$2.69½. Two dollars and sixty-nine & one-half cents per 100 lbs. gross.

ARTICLE 2. That the party of the first part, however, reserves the right to require a greater or less quantity, not exceeding twenty five per cent. in either case, than that specified in said schedule, at the price or prices therein stated, of which increase or decrease in the quantity required reasonable notice shall be given to the party of the second part.

ARTICLE 3. That the party of the first part agrees to pay, or cause to be paid, to the said party of the second part, his heirs, executors, and administrators, for all the cattle received under this contract, at the rate or price designated in the above schedule, payment to be made on presentation, at the Office of Indian Affairs, of proper receipts, in duplicate, of the respective agents, and certificates of inspection, in duplicate, of inspecting officers when required by the party of the first part, after the same shall have been properly approved: *Provided*, That for all cows delivered under this contract a deduction of twenty (20) per centum on the price stipulated in article one (1) shall be made.

ARTICLE 4. That the party of the second part agrees to keep beef cattle, as described in article 5 of this contract, in the vicinity of the places of delivery in such quantities as to give assurance of his ability to make deliveries when required; and should he fail to collect such cattle at such points fast enough, or should he fail to deliver them as required, the party of the first part shall have the right to purchase, or cause to be purchased, beef cattle as he may elect, at the expense of the party of the second part.

ARTICLE 5. That it is further agreed by and between the parties hereto that the beef cattle furnished under this contract shall be good, healthy, merchantable steers and cows (no bulls or stags), not over seven years of age; that they shall be delivered on the government

ESTIMATE FOR SUPPLIES FOR 1880.

ıle for supplies required for the Cheyenne and Arapahoe Indians at the Cheyenne and Arapahoe Agency for the fiscal year ending June 30, 1880.

1878–'79.	Quantity required for 1879–'80.	Articles.	Estimated cost.	Total cost.
ls.	*Pounds.*			
000	139, 980	Bacon.....pounds..	$0 07	$13, 578 60
778 } 500 }	5, 819, 400	Beef, gross.....do....	025	145, 485 00
270	58, 194	Beans.....do.....	02½	1, 600 33
500	9, 699	Baking-powder.....do.....	23½	1, 279 26
000	969, 900	Corn.....do.....	138	13, 374 62
018	77, 592	Coffee.....do.....	15½	12, 026 76
000	969, 900	Flour.....do.....	329	31, 909 71
600	2, 600	Hominy*.....do.....	02	52 00
000	4, 000	Lard*.....do.....	08	320 00
	2, 600	Rice*.....do.....	06	156 00
42	150	Tea*.....do.....	30	45 00
472	9, 699	Tobacco.....do.....	53	5, 140 47
	19, 398	Salt.....do.....	01	193 98
000	19, 398	Soap.....do.....	04½	872 91
028	155, 184	Sugar.....do.....	07½	12, 026 76
		Total cost of supplies.....		238, 061 40

* For school use exclusively.

verage number of Indians requiring daily rations, 5,300. Each ration will consist of 3 pounds
:ross, ½ pound flour, ½ pound corn, 10 pounds bacon, per 100 rations; also, 3 pounds beans,
d baking powder, 4 pounds coffee, 1 pound salt, 1 pound soap, ½ pound tobacco, and 8 pounds
per 100 rations.

JOHN D. MILES, *Agent.*

ALLEGED INSUFFICIENCY OF FOOD SUPPLIES.

Major Mizner's letter of May 30, 1877.*

HEADQUARTERS FORT RENO, IND. T., *May* 30, 1877.

r: I have the honor to submit, for the information and considera-
of the department commander, a written statement, dated Chey-
and Arapahoe Agency, Ind. T., May 25, 1877, showing the total
nt of supplies furnished to that agency for the fiscal year ending
30, 1877, with which this agent is expected to feed about four
sand Indians.

is information was furnished by the agent at my request, and is
over his signature. With it I inclose a tabular statement show-
he exact number of Indians to be subsisted, as I learn from official
:ts. This tabular statement is arranged so as to show, first, the
orized daily ration, the amount of subsistence required per day,
the gross amount for the year, as also the amount of each article
ally supplied by the Indian Department. From these papers it will
adily seen that the Indians of this agency have been a little more
half fed, and have received only about half the ration which should
rovided for them.

xcept for the fact that over half the Indians were able to subsist

* Referred to in testimony as Exhibit E.

themselves for over five months while on a successful buffalo hunt, much suffering among them for want of food would have been inevitable. Had the buffalo not been found within the limits of the Territory, or had it been unsafe to permit so large a number of Indians to leave the agency, or had military reasons forbidden their going out, the consequence of their being half starved can well be imagined. It seems manifestly proper that a suitable and proper supply of subsistence should be furnished to feed these Indians, and a fair and reasonable daily allowance, sufficient to meet the wants of nature, supplied, so that resorting to buffalo hunting should not be made a necessity, as it cannot, under ordinary circumstances, be relied on. When the responsibility of keeping good order and preserving peace and quiet among these Indians devolves on the troops, it seems proper for the post-commander, adjoining this agency, to make known this extraordinary deficiency in the supplies furnished to feed these Indians, as, while the Indians may be expected and required to behave well when properly fed, they ought not to be expected to be very amiable or angelic when half starved and suffering for want of food.

[Agent Miles's letter of May 25, 1877, referred to above.]

OFFICE UNITED STATES INDIAN AGENT,
CHEYENNE AND ARAPAHOE AGENCY, IND. T.,
May 25, 1877.

DEAR SIR: In compliance with your request of 23d instant, I furnish you the following "authorized Indian ration."

To each 100 *rations.*

Article.	Quantity.	Article.	Quantity.
Beef	300 pounds, gross.	Salt	1 pound.
Flour	50 pounds.	Tobacco	½ pound.
Coffee	4 pounds.	Soap	1 pound.
Sugar	8 pounds.	Baking powder	½ pound.
Bacon	10 pounds.		

Twenty-five pounds hard bread in lieu of flour; one pound mess beef in lieu of fresh beef; five pounds lard in lieu of bacon. Subject to the following modifications: That in case the supplies of any kind received are not sufficient to last during the fiscal year, that a reduction of the foregoing ration must be made, so that it shall cover the entire year.

On February 2, 1877, instructions were received to issue 50 pounds bacon in lieu of the usual issue of fresh beef (300 pounds), "reducing the latter to the lowest possible limit," so that all the bacon then on hand might be issued by the 1st of May, 1877.

Statement of subsistence received during fiscal year, and the prices paid, not including freight

Quantity.	Article.	Price.	Freight.
37,322 pounds	Bacon	$0 09.60	$2 59 per 100 pounds.
8,325 pounds	Bacon	08½	2 15 per 100 pounds.
20,000 pounds	Baking powder	30	2 59 per 100 pounds.
21,936 pounds	Coffee	20	2 59 per 100 pounds.
84,950 pounds	Hard bread	04½	2 35 per 100 pounds.
20,040 pounds	Lard	12½	2 59 per 100 pounds.
*175 barrels	Mess beef	8 50 per bbl.	2 59 per 100 pounds.
8,849 pounds	Salt	01½ per lb.	2 15 per 100 pounds.
4,020 pounds	Soap	04½ per lb.	2 35 per 100 pounds.
44,019 pounds	Sugar	09.60 per lb.	2 59 per 100 pounds.
4,000 pounds	Tobacco	55 per lb.	2 59 per 100 pounds.
3,000,000 pounds	Gross beef	1 64 8 per 100	Delivered.
260,000 pounds	Flour	2 97 per 100	Delivered.

*Average weight of mess beef 342 pounds per bill, gross.

Very respectfully, your obedient servant,

JNO. D. MILES.
United States Indian Agent.

Col. J. K. MIZNER,
Commanding Fort Reno, Indian T.

[Major Mizner's tabulated statement in continuation of his letter.]

Tribes.	Men.	Women.	Children.	Total.	Grand total.
heyennes	469	801	845	2,115	
rapahoes	388	529	867	1,784	3,946
paches	8	13	26	47	
	865	1,343	1,738	3,946	

Authorized Indian ration to each 100 persons.

eef	300 pounds, gross.
lour	50 pounds.
offee	4 pounds.
ugar	8 pounds.
acon	10 pounds.
alt	1 pound.
obacco	¼ pound.
oap	1 pound.
aking powder	½ pound.

Substitutes.

25 pounds hard bread in lieu of 50 pounds flour.
100 pounds mess beef in lieu of 300 pounds fresh beef.
5 pounds lard in lieu of 10 pounds bacon.

Amount for daily allowance.

3,946 rations:

	Pounds.
ef	11,838
our	1,973
offee	157⅞
gar	315¾
con	394½
lt	39½
bacco	19¾
ap	39½
king powder	19¾

Amount required for one year.

Articles.	Required.	Furnished.
	Pounds.	*Pounds.*
ef, gross	4,320,870	3,000,000
our	720,145	260,000
offee	57,611	21,936
gar	115,222	44,019
con	143,929	45,657
lt	14,393	8,849
bacco	7,196	4,000
ap	14,393	4,020
king powder	7,196	20,000
lt beef		35,000

	Pounds.
ard	20,040
ard bread	84,950
eficiency in fresh beef	1,320,870
educt 35,000 pounds salt beef, equal to	105,000
Deficiency in meat ration	1,215,870

	Pounds.
Deficiency in flour	460,145
Deduct 84,950 pounds hard bread, equal to	169,900
Deficiency in bread ration	290,245
Deficiency in bacon	98,272
Deduct 29,040 pounds lard, equal to	40,080
Deficiency in bacon	58,192

Deficiency after deducting substitutes.

	Pounds.
Meat or beef, gross	1,215,870
Flour	290,245
Coffee	35,675
Sugar	71,203
Bacon	58,192
Salt	5,544
Tobacco	3,196
Soap	10,373

Estimated saving from the absence of 2,500 Indians, who received no rations while absent for five and a half months on a buffalo hunt.

	Pounds.	Still due or deficient, pounds.
Beef	1,237,500	
Flour	206,250	83,995
Coffee	16,500	19,174
Sugar	33,000	38,203
Salt	4,125	1,419
Soap	4,125	6,248
Tobacco	2,063	1,133

Ration of beef increased May 12 to 4 pounds gross.

	Pounds.
Additional beef required to include June 30	147,300
Add from deficiency	1,215,870
	1,363,170
Deduct saving	1,237,500
	125,670

Total deficiency after deducting saving of issue to 2,500 Indians for 165 days.

	Pounds.
Beef	125,670
Flour	83,995
Coffee	19,173
Sugar	38,203
Salt	1,419
Soap	6,248
Tobacco	1,133

Grand total deficiency had all of the Indians remained at the agency.

	Pounds.
Beef	3,363,170
Flour	290,245
Coffee	35,673
Sugar	71,203
Salt	5,544
Soap	10,373
Tobacco	3,196
Bacon	58,192

Cost of ration.

	Cents.
1 pound salt beef	13
3 pounds fresh beef	4 9-10

Very respectfully, your obedient servant,

J. K. MIZNER,
Major Fourth Cavalry, Commanding.

ASSISTANT ADJUTANT GENERAL,
Department of the Missouri,
Fort Leavenworth, Kans.

Colonel Mackenzie's correspondence concerning alleged insufficiency of food supplies.

HELDQUARTERS FOURTH UNITED STATES CAVALRY,
Fort Sill, Ind. T., September 4, 1877.

GENERAL: Lieutenant Lawton returned on Sunday evening from the Cheyenne Agency, and tells me that the Cheyennes are much dissatisfied on account of failure to supply them with sufficient proper food, and that the best-informed white men, Messrs. Clark and Rowland, are of the opinion that unless the Indians have justice in the matter of food from the government, there will be an outbreak within two years.

I have directed Lieutenant Lawton to fully investigate this subject on his return to Reno, and will then forward his report. I merely write now to give you the first information I have, and to state that it is my judgment that the garrison should be increased by four companies of infantry this fall, and by two additional companies of cavalry in the spring; and that, also, in the spring, two more companies of infantry should be sent to this post, which would make at least six companies of troops available here at any time. I write now in order that this may be timely notice for making estimates for the funds for barracks and quarters which this change would make necessary.

I wish to say that I am sure that the fault of any outbreak among these Indians will rest at the door of the government, and that it will only be brought on by starvation.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

Brig. Gen. JOHN POPE,
Commanding Department of the Missouri, Fort Leavenworth, Kans.

FORT SILL, IND. T., *September* 13, 1877.

SIR: In compliance with letter of instructions dated Headquarters Fourth United States Cavalry, Fort Sill, Ind. T., September 4, 1877, I have the honor to report that the investigation therein directed was made by me, as far as circumstances and the time I was at Reno would permit, with the following result:

The Cheyenne Indians are camped a number of miles from Fort Reno, and consequently I was not able to visit them. I sent out for some of the headmen whom I know, but they did not come into the post in time for me to talk with them.

From the commanding officer of the post, Major Mizner, Fourth Cavalry, Mr. Rowland, the Cheyenne interpreter, and Mr. Clark, the post interpreter, I ascertained that full rations are not, and have not been, issued for some time; no flour nor corn, nor anything in lieu of the same, has been issued for a long time, except two partial issues, to the Cheyennes.

Coffee is issued at about three pounds to the one hundred rations, and sugar at about six.

I was informed that a large lot of beef had been received at eight hundred and fifty pounds, gross, per head, and that, since, it had greatly fallen off in weight, and that it was issued at the weight it was originally received.

Mr. Rowland states that all the Cheyennes are dissatisfied, and think they are not receiving what was promised them; that they would be satisfied if they received what the treaty allows them. He cited one case where the coffee issued one family for seven days was used in two meals; that his family cannot live on his supplies furnished; and that he purchases nearly all they get. He thinks the Indians are inclined and wish to do right, as far as they know, but that they have good reason to complain; and that he has no doubt, unless they are fed, some of them will leave, which he thinks will cause trouble.

Mr. Rowland's statements are corroborated by Mr. Clark, who thinks some of the young men will leave the agency, and that if they do they will steal horses, &c., and that an attempt to punish them will cause serious trouble with the balance.

Owing to my limited time, I had no opportunity of consulting Mr. Miles, the agent, and this report is therefore based upon current reports and the statements of the parties mentioned.

I would state that since leaving Reno I have seen Standing Elk and Living Bear, principal Cheyenne chiefs, and they not only corroborated the above statements, but assert that their people are not getting supplies enough to prevent starvation; that many of their women and children are sick from want of food. A few articles I saw given them they would not use themselves, but said they would take them to their children, who were crying for food.

I am, sir, very respectfully, your obedient servant,

H. W. LAWTON,
First Lieutenant, R. Q. M., Fourth Cavalry.

To the ADJUTANT FOURTH UNITED STATES CAVALRY,
Headquarters Fourth United States Cavalry, Fort Sill. Ind. T.

HEADQUARTERS FOURTH UNITED STATES CAVALRY,
Fort Sill, Ind. T., September 15, 1877.

SIR: I have the honor to bring before the assistant adjutant-general of the department the appended report of Lieut. H. W. Lawton, made in compliance with directions from myself, and also the statements of there principal Cheyennes made to me.

The following is the article of the treaty with these Indians which bears on the subject of which they complain:

ART. 5. In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States does agree to provide all necessary aid to assist the said Indians in the work of civilization; to furnish to them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868. Also to provide the said In-

dians with subsistence, consisting of a ration for each individual of a pound and a half of beef (or, in lieu thereof, one-half pound of bacon), one-half pound of flour, and one-half pound of corn; and for every one hundred rations, four pounds of coffee, eight pounds of sugar, and three pounds of beans; or, in lieu of said articles, the equivalent thereof, in the discretion of the Commissioner of Indian Affairs. Such rations, or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves. Rations shall, in all cases, be issued to the head of each separate family; and whenever schools shall have been provided by the government for said Indians, no rations shall be issued for children between the ages of six and fourteen years (the sick and infirm excepted), unless such children shall regularly attend school. Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted). And as an incentive to industrious habits, the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life. The government will aid said Indians as far as possible in finding a market for their surplus productions and in finding employment and will purchase such surplus as far as may be required for supplying food to those Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of government work upon their reservations.

The ration as given is ample, and the provisions of the entire agreement are, in my judgment, wise. Due notice was given of the probable arrival of these Indians in ample time to provide against ary failure to supply.

This is the only band at the Red Cloud or Spotted Tail Agencies who have up to this time complied fully with this treaty; and I may be pardoned in saying that my position is a very distressing one, in this: that I am expected to see that Indians behave properly whom the government is starving—and not only that, but starving in flagrant violation of agreement. One principal reason for my great desire to avoid returning to Fort Sill was my dread lest I should be expected to control Indians almost forced into war by the action or non-action of other authorities.

The Indians whose statements are appended are all men of excellent character, and are telling, I am sure, the precise truth. It would perhaps be well to notify Colonel Manypenny, Bishop Whipple, and the other gentlemen who signed the agreement with these Indians, or such of them as the department commander might select, that the terms of this treaty were not being carried out by the government, as they may have influence to secure such result.

The case of the Southern Cheyennes and Arapahoes has been long very bad, and it differs now from that of the Northern band in nothing, so far as the moral wrong of the government is concerned, except that the positive disregard of a direct agreement is perhaps not so conspicuous.

In this connection I may say that the Indians near Sill, the Kiowas and Comanches, were without flour for more than six weeks; but that extra issues of beef were made, which prevented any serious suffering.

I also append a copy of a letter addressed to Major Mizner commanding Fort Reno, explaining the importance of avoiding, if possible, any attempt to control by force these Indians till steps were taken for their relief.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

The ASSISTANT ADJUTANT-GENERAL,
DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans.

HEADQUARTERS FOURTH U. S. CAVALRY,
Fort Sill, I. T., September 15, 1877.

SIR: I am convinced that the Indians at the Cheyenne and Arapahoe Agency are being treated with great injustice in the matter of food, from the statements made to me by Lieutenant Lawton, as well as by the Cheyennes. If Mr. Miles has not the flour on hand, all suffering would be avoided by giving Indians extra beef until arrival of stores. I invite your attention to the fifth article of the treaty for the removal of the Northern Indians, given in appendix of report of Secretary of the Interior. You should report fully any violation thereof; and do not, except in a very extreme case, attempt to exercise any military control over the Indians near Reno till they are justly fed. That is, if Indians from hunger run off contrary to the wishes of the agent to get buffalo, do not attempt to cause their return, or the troops will be placed in the position of assisting in a great wrong. I do not know that any such collision will arise, but it might, and you must use great judgment. You should inform the agent fully of this.

Very respectfully, your obedient servant,

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

MAJOR J. K. MIZNER,
Fourth Cavalry, Commanding Fort Reno, I. T.

Report of an inspection of the condition of the Cheyenne Indians at the Cheyenne and Arapahoe Agency, made in compliance with the following order:

[Specia Orders No. 190.]

HEADQUARTERS FORT SILL, I. T.,
September 29, 1877.

First Lieut. H. W. Lawton, R. Q. M., Fourth Cavalry, will at once proceed to Fort Reno, I. T., to inspect the condition of the Cheyenne Indians, at the Cheyenne and Arapahoe Agency, and will make a report of the inspection to these headquarters.

By order of Col. R. S. Mackenzie.

JOSEPH H. DORST,
Second Lieutenant Fourth United States Cavalry, Post Adjutant.

Proceeding to Fort Reno, I T., immediately upon receipt of the foregoing order, I arrived there on the evening of September 30, and at once reported to the commanding officer, informing him of the object of my visit, and in conversation with him in reference to the same received from him the following general information:

He, the commanding officer, had recently visited the agency, with a view of ascertaining the facts with reference to the rumored discontent among the Northern Cheyennes, the alleged want of sufficient food, and the probability of trouble with them on these grounds. From his observations he was satisfied that the agent was doing all in his power for the Indians, and was giving them all the rations they were entitled to of the articles shipped him by the Interior Department for issue. He was satisfied, however, that these amounts were entirely insufficient and inadequate to their wants. He had heard of no trouble and anticipated none. No complaints had been made directly to him, or to the agent, that he knew of. He was aware that there was much sickness, and there had been some deaths, and also there was rumored discontent on account of the insufficiency of the ration.

On the morning of the 1st of October I took with me Mr. Clarke, the post interpreter, and went to the camp of Mr. Rowland, the interpreter for the Northern Cheyennes, and ascertained that the Cheyenne village was located some twelve miles from the agency, up the river. I sent word to the village that I wished to see the head men and talk with them. and then went to the agency. Mr. Miles, the agent, was absent, and the business was in charge of the clerk, Mr. Miles, brother of the agent. Presenting my order and informing him of the object of my visit, he placed at my disposal everything necessary, and offered every assistance in his power to further my object. Issues were then being made to the Arapahoes. I remained some time in the issuing room, witnessing the conducting of the issues, which consisted of flour, sugar, coffee, and tobacco. Beef was issued later, from the pens. Sugar and coffee were weighed, and with every appearance of fairness and good weight; but flour was issued by guess, and as it was not probable that more than the allowance would at any time be given, there was every reason to suppose that a guess could not always be accurate, and the amounts would fall short; and as the amount to which each individual was entitled was small, a slight discrepancy, while not affecting much the bulk of the issue, would make a great difference to an individual. The sugar was of a very inferior quality, dark and very wet. This is the condition in which it was received by the agent, as I examined several packages and found them all alike. It was an article that would not have been received and issued to troops without the action of a board of survey. I held conversations with several Indians, and they informed me that the rations were much better now than they had been some time previous, and that they were getting more rations that day than any time before. The only general and serious complaint was about the beef, which they stated was poor and did not hold out.

After the issue of the small rations I visited the beef pen, and witnessed the issue of beef. That which was on hand and issued was of an inferior quality. It had been received some time previous. I did not see any of it weighed, as it is the custom to weigh the beef at the time it is received, and then issue it out at the average it weighed at time of receipt. The beef I saw was of very poor quality, and would not have been considered merchantable for any use. It was irregular in size and age, and rough and poor, and there were some bulls among them. The average, I was informed, at what they were being issued, was seven hundred and fifty pounds. I am satisfied the average would fall short of that from fifty to seventy-five pounds per head. I arrived at this conclusion from my own judgment, and that of several other persons with me of experience in such matters. This issue was made to small bands, sufficiently large to take a whole beef or more; but as the beef was not weighed out a band was just as likely to get a small beef weighing one hundred pounds or more less than they were entitled to as an average, and another band a large beef, weighing more than they should receive; and unless a band contained an even number of members, entitling them to an even number of beeves, at the average, no allowance was made for the difference in numbers—that is, a band of thirty-three got one beef and one of fifty got but one beef. The smallest band I saw a whole beef issued to numbered twenty-five, and a band of fifty-six received two beeves; but any intermediate number received but one head. I consider this irregular, and think it should be corrected. More will be said on this subject further on, when the issue to the Cheyennes is considered.

I talked with Mr. Miles often during the day with reference to the

Cheyennes. He knew of no serious trouble, and anticipated none. He had heard before the agent left that the Cheyennes had killed one cow belonging to other Indians, but as nothing had been said about it since he thought it had been settled at the time. He was satisfied that the Indians did not receive enough to eat from the issues, but he could do no better under his instructions. He stated that if he complied strictly with their regulations they would not be issuing half what they were, as the supplies furnished for this year would not warrant it. He stated that representations had been frequently made to the Commissioner, but without avail. He was very short-handed and found it almost impossible to get along.

I talked with the Indian traders with reference to the robe trade; found little being done. Both traders had sold large quantities of flour, sugar, coffee, and bacon to Indians, during the past season, for tanning and for robes; and they stated it as their belief that if it had not been for them some of the Indians would have starved. The traders buy skins from the hunters, and have them tanned by Indians, and buy from the Indians such robes as they have tanned themselves. Four checks is the price for tanning a robe, and ten checks the price of a first-quality robe. The checks have no defined value. They are sold to outsiders at sixty cents apiece. An Indian gets four yards of calico or two pounds of sugar for a check, making the check's valve to him about forty cents. None of the Northern Cheyennes have tanned or sold any robes. They were not at the agency when most of the tanning was done, and have no robes of their own.

It is presumed important and proper that the Indian should support himself by his own labor, if he can; but it should be looked to that the Indian gets a fair and just recompense, in the first place, for whatever labor he performs. Besides, I do not think this is the kind of labor the government intends the Indian to support himself by, and it is very unsafe to depend upon it as a means to that purpose, as it is fluctuant and liable to cease at any time.

The issues to the Cheyennes were to be made the next day; and in order to be present during the whole time, I repaired early to the agency, accompanied with Mr. Clarke, post interpreter, and Mr. Rowland, Cheyenne interpreter. Issues to the Cheyennes were in progress, consisting of the same articles, and distributed in the same manner, as to the Arapahoes the day previous. Mr. Miles and the issuing clerk complained bitterly of short handedness and overwork. I observed the issues carefully, but could not be critical. All seemed to be correct and proper, except the manner of issuing flour. In conversation with Indians, they stated they were getting better and more rations that day than previously; and Interpreters Rowland and Clarke both told me that Indians said the issues were larger when I was looking on than when I was not; that they got larger quantities of the articles issued; and that the women were crowding and anxious to get into the building to draw while I was there. I then left the building, and had Mr. Rowland go to the rear of the building and collect some parties as they came out with their rations, and bring them over to the trader's store, when I weighed their rations in the presence of Messrs. Clarke and Rowland, taking the number of people for whom they had drawn from their tickets at the same time, with the following results:

"Plenty Bear's" ticket: 5 people, 7 days, 35 rations. Sugar and coffee, 3 pounds; deficient, 1⅜ pounds. Flour, 16 pounds; deficient 1½ pounds.

"Goes in the Willow" ticket: 2 people, 7 days, 14 rations. Sugar and coffee, 1 pound; deficient, ¾ pound. Flour, 5 pounds; deficient, 2 pounds.

"Walking Woman": 4 people, 7 days, 28 rations. Sugar and coffee, 2 pounds; deficient, 1½ pounds. Flour, 8½ pounds; deficient, 5½ pounds.

"Owl" and "Red Neck," drawn together: 9 people. 7 days, 63 rations. Sugar and coffee, 6½ pounds; deficiency, 1⅞ pounds. Flour, 28 pounds; deficiency, 3½ pounds.

"Red Bird," 5 people, 7 days, 35 rations. Sugar and coffee, 3 pounds; deficient, 1⅜ pounds. Flour, 16 pounds; deficient, 1½ pounds.

"Big Head," 9 people, 7 days, 63 rations. Sugar and coffee, 5 pounds; deficient, 2⅞ pounds. Flour, 16 pounds; deficient, 15 pounds.

I was afterwards shown "Living Bear's" rations at his lodge, which I measured and found to consist of about 2½ pounds of coffee and 20 pounds of flour. He assured me none had been used since they had been drawn, and that they were for 13 people 7 days. I did not see his ticket, and cannot vouch for the correctness of his statement. I afterwards tested the scales on which sugar and coffee were weighed in the Indian issuing-room, and found them accurate.

The amounts deficient in each case are but small, it is true; but when it is considered how small the amount of one ration is, it will be seen that the deficiency covers several rations, and fully bears the Indian out in his complaint that the rations do not last the time for which they are given, even when the full amount is supposed to be issued.

Being at this time informed that the Indians had assembled, as I had requested, to talk, I went to them and found about a hundred and fifty Cheyennes—all the chiefs and headmen—together; and after informing them of the object of my visit, and what I wished, statements were made by a number of the headmen, of which the following is the substance:

Dull Knife, an old chief and influential Indian, stated that, from the time they left Red Cloud Agency to the present time, they had followed the same road they had started on; that they had a pretty hard time coming down, many being on foot; that they all remembered the promises that had been made them; that they were strangers in the country, and had not been there long enough to know what they wanted, but had left that all to the agent; that they had not come on a visit, but to live and stay with their friends, the Southern Cheyennes; that to they came down on the word of General Crook; that they wished get settled down where they were to live permanently; that they would send their children to school; that they did not wish to commence until they knew what they were going to do; and that when they did get so settled and their children to school, they would begin to take an interest in acquiring the knowledge of the white man.

Wild Hog, a headman, after a short consultation, was selected to speak for the others, and said in substance: "Since we have been at this agency we have drawn from the agent no corn, hard bread, hominy, rice, beans, or salt; yeast powder and soap, only once in a while. The sugar and coffee we get only lasts about three days, and is issued for seven; and beef about the same. The flour has been very bad, very black, and we cannot make it rise. I have eight people in my family, and have received about so much flour at an issue (representing about fifteen or twenty pounds); and four issues out of nine we have received no flour at all; and about so much sugar and so much coffee (representing what he could hold in one hand, of each), and it is all used up in three cookings. Bacon has been issued five times, and I got for my family three pounds. Twenty-five beeves have been issued for all the Northern Cheyennes, and one time twenty-seven; as a general thing they were

poor, small beeves. A good many were lame, and looked as though they had been starved to death. One time all our beeves looked like calves; some were very lame and looked like they would die. They were different from the cattle we got coming down. From Red Cloud Agency to this agency we got plenty to eat—beef and everything else; but since we got here we have been starving, part of the time."

Many Bears, Old Crow, Turkey Legs, and others, then stated that what had been told me by Wild Hog was true; and that they had thrown away all their bad habits, and were going to live like white men.

Turkey Legs said he wished me to intercede with General Mackenzie for them to go buffalo hunting as soon as possible. They wished to go very much. He said that they had lost ten of their people by death since their arrival; that he could not tell how many were sick, but there was at least one to every lodge; that I could tell better when I went to their camp; and that the doctor had not visited their camp to see any of them.

Standing Elk, the head chief, said that at Red Cloud Agency they got pretty fair rations, and all the way down; that none were sick and none died on the road down; that everybody was happy and in good spirits there; that the rations were good and plenty; that they thought when they arrived here they would get the same, but found it was not so; that the beef and other rations here have been very poor, and there has not been enough of them, and that had made them sick. He thought the poor, bad beef had made them sick. He thinks a great deal of the sickness is due to the want of sufficient wholesome food.

Leaving the council I went directly to the beef pen. Mr. Miles, the clerk, and most of the Indians were already there. Mr. Miles told me he had just received an order to increase the issue of beef to 4 lbs., and that this issue would be made upon that basis. He also stated that the cattle on hand were the last of the old contract, and that there were not enough to make the issue; but that a lot of the new contract was coming, near by, and would be received and issued from. Presently the beef arrived—a fair lot of cattle—and was weighed in, the average weight being 933 lbs. A deduction of twenty-five pounds per head was made as the probable amount of shrinkage had they been kept penned twelve hours, as the contract requires, before being received—they being received at once, as they were required for issue. This deduction, I observed, was made on paper only, the beef being issued to the Indians at the actual weight at the time. Thus, on each head of the new beef issued, the Indian was charged twenty-five pounds more beef than the agent receipted for. These beeves, as they were received, were turned into a pen with the old stock, and mixed with them, and the weight of the old stock estimated at seven hundred and fifty pounds per head added, and an average struck which amounted to 884 lbs., at which the lot was issued. At this rate the issue would be about one beef to thirty-one people.

The issue was conducted in the following manner: The beef in a small pen, the average weight 884 lbs.; the issue to be one beef to thirty-one people. A man on horseback in the pen with the beef; the Indians arranged in a line outside near the gate; and the acting agent with an interpreter, sitting in a conspicuous place, having a list on which were the names of the headmen of the bands, with the number of people composing the band. The name of the first man on the list is called by the interpreter, and he, with his followers, places himself near the gate. At the same time the number of beeves to be issued is called, and the man in the pen cuts them out of the lot, and drives them out of the

gate, when they are taken possession of by the Indians for whom they are intended. I observed this issue with a great deal of care, noting the number of men in each band, and the number and size of the beeves given them, and found it to be, in my opinion, decidedly unsatisfactory and irregular. There were but few bands with a smaller number in them than thirty-one; none less than twenty-five, while many ranged between thirty-six and fifty-six. One band of fifty-four which I will take as an example, received one beef—as the number was not large enough to get two. In cutting out, a small beef was the one that fell to the lot of this band. Allowing it to weigh seven hundred and fifty pounds, at which weight it was put into the average, actually just twenty-seven people received a ration of beef each (just one half of the whole number), and twenty-seven people (or the other half), were absolutely without meat for seven days.

Bands fortunate enough to be under thirty-one, or some number a little under its multiple, fared better, as the amounts they received would be at least sufficient to make up any deficiency in weight, so that they would get their full allowance. This unfairness was called to the attention of Mr. Miles, and it was urged in reply that it was the only practical way in which beef could be issued; that, ordinarily, their man who cut the beef out of the pen, being one of experience, could judge very closely to the weight of a beef, and by issuing large beeves to large bands, and small beeves to small bands, could do justice to all; and that, at any rate, as all Indians divided their stores, as long as they lasted, among each other, they would all receive an equal share of the issues. In all cases of issues, when the quantity is defined and can be ascertained accurately, it should be done. Under any circumstances whatever the beef should be weighed out to the Indians, not only to secure an equal distribution, but to assure the Indians they are receiving the amount with which they are charged. A large amount of beef received to-day may deteriorate materially in a week or ten days, or a month; or it may gain. It is decidedly unfair to the Indian that he should be required to stand the loss in one case, and the government should have the benefit in the other. It was urged by Mr. Miles that to weigh the beef out would take too much time. This is a weak, ungenerous excuse, and should be no object when a disregard for it works such gross injustice. Besides, with a properly constructed corral, which they have not, the weighing could be accomplished in less time than is now occupied in the present mode of issuing. The corral now used is entirely inadequate, badly arranged, and entirely unfit to hold stock. The mud was so deep that the cattle stood to their bellies in it, and a carcass of one trampled in the mud gave evidence that they even died from miring. Beef penned here each night could not long remain fit for issue. A debit and credit account with each Indian was suggested, but was not considered practicable on account of the bands changing so often. Then the only remedy would be to weigh the beef out, and have a number killed beforehand, and issue to each band the difference between the live beef given and the amount due, in butchered beef. At any rate, some means to correct this evil should be resorted to, as I believe that from the manner of issuing, and the gross injustice done to some of the bands, arises the greater part of the complaint and discontent with regard to the issue of beef.

At this issue, and heretofore, the Northern Cheyennes had issued to them the beef in bulk; that is, the whole number of beeves they were entitled to were turned over to the headmen at once. The objection to this is, that the beef goes into the possession of the Indian soldiers, who

conduct the division, and the weaker and less influential families, widows, and old people, get little or nothing. Many complaints of this nature were made to me. On speaking to Mr. Miles about it, he informed me that hereafter issues to these Indians would be made the same as to the others.

After the receipt of the small number of beeves from the new contractor, to enable the acting agent to complete the issue, another lot of beef was penned, and weighed the next morning 843 pounds, or ninety pounds less than the average of the lot from the same herd weighed the evening before.

After witnessing the completion of the issues, which did not occur until the following morning, I visited the camp of the Cheyennes, accompanied by the post surgeon and both the interpreters, some twelve miles from the agency, on the river. The village was located on high ground, open to the wind and sun, and is as healthy a place as could be found in the vicinity, convenient to wood and water. Preparations were being made for the celebration of a rite for the healing of the sick, which enabled me to see most of them. The number was large, and there were fully as many as had been represented. I was acquainted with a number, and talked to them. They were willing to take the white man's medicine, and anxious to get it; they complained that they were not visited by the doctor; that when they wished to get medicine they were compelled to ride all the way to the agency, and then got only one dose of medicine and had to go back for more; and that most of them were unable to go so far. Generally those who were well were cheerful and in good spirits; as they had just drawn rations and had plenty of beef, they were probably unusually happy.

In this connection I will state that, in conversation with the agency physician at his office, he informed me that his visits to the camp have not been frequent on account of time; that he is occupied the whole day at his office. His report for September shows as treated during the month, 1,084 males and 983 females—a total of 2,067—for various diseases, mostly malarial. Among these are not included many sick at the further camps, and none, or few, of the Northern Cheyennes, of whom at least one hundred and fifty were sick at the time of my visit. The following remark appears in said report:

> An epidemic of malaria fever, of unusual severity, is prevailing among the Indians. The mortality is not great, owing to the readiness of the Indians to seek medical aid. My official business is large, and I find it impossible to visit the camps regularly, without assistance.

There are no medicines at all for the Northern Cheyennes, and the whole stock is deficient and inadequate, especially quinia, fluid preparations, tincture of opium, compound cathartic pills or the ingredients, bottles, corks, and iodides. All of the above are imperatively necessary. Fluid extracts, on the doctor's last estimate, were ignored entirely, and are much needed. Estimate was made for sixty ounces of quinia sulphur, and instead sixty ounces of sulphate cinchonoide, a much inferior article, was supplied. Quinia would have been more economical. Of tincture of opium, an article much needed, there is on hand but four ounces of the whole year's supply furnished; and the whole supply of medicines is generally insufficient. The doctor states that fifty patients are as much as one man can attend to and do justice, and that he is unable to visit the camps oftener than once in two weeks. Assistance and medicines should be supplied at once. The acting agent states that representations of the foregoing facts have been made to the department, but without effect.

The books of the agency show issues to have been made to the Northern Cheyennes since their arrival, as follows:

First issue, 10 pounds bacon to 100 rations; ½ pound tobacco to 100 rations.

First issue, 4 pounds coffee to 100 rations; 50 pounds flour to 100 rations.

First issue, ½ pound yeast powder to 100 rations; 300 pounds beef, gross, to 100 rations; 8 pounds of sugar to 100 rations.

The second, third, and fourth issues were the same as the first. The fifth issue was the same as first, except flour. The sixth the same as the first, except bacon. The seventh, eighth, and ninth the same as the sixth. On the eighth issue two heads of beef extra, and on the ninth six heads of beef extra. This does not agree with the statements of the Indians as to what they have received. I am inclined to believe the records correct so far as the articles go, but not as to quantities.

Since July 1, 1877, the following articles and amounts have been sold by the Indian traders to the Indians at that agency: 34,000 pounds of flour; 1,800 pounds of sugar; 6,000 pounds of coffee, and about 25,000 pounds of bacon. These amounts were given me by the traders, and are taken from their books. One of the traders has been out of bacon much of the time. These sales are much smaller than for the three months previous.

At the Sill Agency the sales of similar articles for the same time to the Comanche and Kiowa Indians were: No flour, no bacon; 2,000 pounds sugar, and 500 pounds coffee.

According to instructions from the department, the ration at the Cheyene and Arapahoe Agency consists of—

	Pounds.
Beef, gross	300
Flour	*50
Beans	3
Pork	10
Corn	*50
Coffee	4
Sugar	8
Salt	1
Soap	1
Tobacco	½

The following is a copy of the list furnished by the agent at Red Cloud Agency to the officer conducting the Northern Cheyennes to the Indian Territory, to govern his issues on the road to these Indians; and the amounts specified were issued, and fully supplied to the Indians with all they required:

To 100 *rations.*

	Pounds.
Beef, gross	300
Flour	*50
Corn	*50
Coffee	4
Sugar	8
Rice	5
Beans	3
Bacon	10
Salt	1
Soap	1
Tobacco	½
Soda or baking powder	½

* Hard bread, 25 pounds, in lieu of either flour or corn; 40 pounds in lieu of both.

* Hard bread in lieu of flour or corn, 25 pounds; in lieu of both, 40 pounds. If no corn issued, 100 pounds of flour.

It will be seen by comparing the authorized ration at the Cheyenne Agency with the ration as issued, that the issue is but about two-thirds of what is allowed, and about one-half of the allowance at Red Cloud Agency, or of what was issued to the Cheyennes on the road down.

There are at the Cheyenne Agency 5,002 Indians, requiring for the year the following amount of rations, a portion only of which have been supplied—whereby the agent, if his instructions were followed literally, could only issue in the same proportion to the ration allowed as the amount supplied for the year is to the amount which would constitute the whole ration for the year:

Articles.	Required.	Shipped.	Deficit.
	Pounds.	*Pounds.*	*Pounds.*
Fresh beef, gross	7,300,000	No stated amount.	.....
Flour	912,500	635,000	77,500
Corn	912,500	150,000	730,100
Hard bread	456,250	16,200	365,050
Sugar	146,000	68,317	77,683
Coffee	73,000	38,300	34,700
Soap	18,250	.....	18,250
Tobacco	9,125	2,000	7,125
Rice	98,250	.....	98,250
Beans	54,750	.....	54,750
Bacon	182,500	14,479	168,021
Salt	18,250	12,000	6,250
Yeast powder	9,125	4,140	4,985

In conclusion, I would state it as my opinion, based upon the observations made at this inspection, that the authorized ration is sufficient for the wants of the Indian under all circumstances, and that, if he receives it, it will prevent complaints or discontent on that account; that at this agency, where the inspection took place, not more than two-thirds of the authorized rations is assumed to be issued, and heretofore not that much; that the issues are irregular, and that the amounts reported are not actually issued; that there is an unusual amount of sickness, which is aggravated by a lack of sufficient wholesome food, and want of proper or sufficient professional labor and medicines; that the Indians themselves have a strong desire to do well and act according to their agreements, and are anxious to settle down and receive the assistance promised, in opening farms, building houses, &c.; that there is a strong feeling among them of injury and injustice; that there are few who are evil-disposed or troublesome; and that no serious trouble need be anticipated unless the Indians are driven to it as the alternation of starvation.

H. W. LAWTON,
First Lieutenant Fourth United States Cavalry.

[First indorsement.]

HEADQUARTERS FORT SILL, I. T.,
October 10, 1877.

Respectfully forwarded to the Assistant Adjutant-General, Department of the Missouri, requesting that the attention of the commanding general be drawnto the deficiency in the rations for the Indians (Arapahoe and Northern and Southern Cheyennes), furnished to the agent for those tribes for the present fiscal year. The entire report, though quite long, will repay a careful reading. I regard the Cheyenne tribe of Indians, after an acquaintance with quite a number of bands, as the finest body of that race which I have ever met, and do not consider them in any

manner badly inclined. These Indians have complied with the views of the government in their behalf, and thus it appears to me that it is incumbent on all officers of the government who are in any way charged with its interest in this part of the country to use their best endeavors that they be prevented from great suffering, which I am unable to see can be avoided if the present allotment of subsistence to their agent be very largely increased. It is my judgment that the only just course, and the wisest, is to first habitually feed these Indians properly, and then as habitually punish each offending individual, and gradually to insist on their working. The within report, in my judgment, gives a very correct idea of the present condition of these Indians, and of their immediate needs.

From this report it is evident:

First, that there should be a large increase in the rations furnished.

Second. An increase in the force for issuing, and greater care in making the issues.

Third. An increase in the medical force and in medicines.

R. S. MACKENZIE,
Colonel Fourth Cavalry, Commanding.

[Second Indorsement.]

HEADQUARTERS DEPARTMENT OF THE MISSOURI,
Fort Leavenworth, Kans., October 20, 1877.

This report, made by Lieutenant Lawton, Fourth Cavalry, of a special Inspection of the Indians at the Cheyenne and Arapahoe Agency, near Fort Reno, and of the supplies furnished the Indians, as well as the manner of issue, is respectfully forwarded to Headquarters Military Division of the Missouri, and the special attention of the division commander is invited to it. It is a clear and moderate statement of what he actually saw, and a plain recital of what the chiefs told him. I think it worthy of the consideration of the proper authorities of the Interior Department.

JOHN POPE,
Brevet Major-General, Commanding.

AGENT MILES'S LETTER OF SEPTEMBER 20, 1878*.

[Referred to in Major Mizner's letter above.]

UNITED STATES INDIAN SERVICE,
Cheyenne and Arapaho Agency, Ind. Ter., September 20, 1878.

COLONEL: I have the honor to acknowledge the receipt of your communication of even date, and in reply I mention primarily, as one of the causes which led the Northern Cheyennes to leave this reservation, that in the treaty made with these people in 1876 they were promised as a daily ration 1½ pounds beef net, ½ pound of flour or ½ pound of corn, and 4 pounds coffee, 8 pounds sugar, and 3 pounds of beans to each 100 rations, which promise has only been carried out in part, the supplies received being insufficient. They were also promised houses for the chiefs and assistance to build houses for others, cattle, hogs, &c., none of which has been carried out.

* Referred to in the testimony as "Exhibit G."

Again, they objected to the method of issuing rations by families, as tending to lessen the importance of the chiefs.

Under instructions the issues to these Indians were kept distinct from the Southern Cheyennes and Arapahoes until July 1, 1878, the appropriations by Congress being made separately. This seemed to increase the ill feeling which has always existed between the Northern and Southern Cheyennes. When after July 1, 1878, the issues were no longer required to be kept separately, the Southern Cheyennes were encouraged to blend the Northern Cheyennes with their own people, in which they were successful to the extent of over 550 people, under Living Bear, Calfskin Shirt, Standing Elk, Turkey Legs, American Horse, and others, who, accepting this country as their permanent homes, have placed their children in school and are well behaved.

The remainder of these people under Dull Knife, Wild Hog, Crow Indian, Little Wolf, and others separated from the majority and camped by themselves from seven to twelve miles from the agency. These were regarded by the Southern Cheyennes as "seceders."

On the 5th instant information was given by the other Indians that the Northern Cheyennes were constantly stealing their best ponies, and that they had every reason to believe some of the young men of these seceders had already gone north, and that the others were preparing to follow. To the end that this office might know with certainty whether these reports were justified or not, an enrollment of all male adults of the Northern Cheyennes was ordered. All those who had affiliated with the Southern Cheyennes promptly obeyed this order, but these discontents refused to report, making all manner of excuses, sending daily representatives as bearers of messages, until the 8th instant, when they demanded a modification of the order.

In addition to frequent conferences with the chiefs myself, I sent Mr. Covington, agency farmer, on the 7th and 9th instant, to their camps, who urged upon them the necessity of promptly complying with the order for enrollment, assuring them it would affect only those found absent; that our whole purpose was merely to find how many, if any, had left; that measures could be taken to effect their return, and those remaining would be in no way injured, but left their liberty as usual. Every measure was taken, in conjunction with yourself, to secure compliance with this necessary order in a firm but friendly manner, but without effect, and on the night of the 9th instant they escaped from their camp, which they had strongly intrenched, leaving their lodges and tepees standing.

Some of their young men were heard to say, "We are sickly and dying here, and no one will speak our names when we are gone." We will go north at all hazards, and if we die in battle our names will be remembered and cherished by all our people."

Very respectfully,

JNO. D. MILES,
United States Indian Agent.

Col. J. K. MIZNER,
Commanding Fort Reno, Ind. Ter.

Major Mizner's letter of September 19, 1878.*

HEADQUARTERS FORT RENO, IND. TER.,
September 19, 1878.

SIR: The attention of the department commander is respectfully invited to the following statement of the quantities and kind of supplies furnished for the subsistence of the Indians at the Cheyenne and Arapahoe Agency for the fiscal year ending June 30, 1879, and, in connection therewith, to the amounts of the same necessary to subsist these Indians to the same date, that the very large deficiency that must exist may be made more apparent.

Total number of Indians, 5,004.

	Amount required for the year.	Amount purchased and contracted for.	Deficiency.
Bacon	100,000	.....	.....
Beef	†5,179,380	3,750,000	1,429,380
Flour	913,230	600,000	313,230
Corn	913,230	150,000	763,230
Beans	54,793	Not yet known	.....
Lard	20,000	10,000	.....
Salt	18,264	Not yet known	.....
Coffee	73,058	38,018	35,040
Sugar	146,116	80,028	66,088
Tobacco	9,132	Not yet known	.....
Soap	18,264	10,000	8,264

The figures speak for themselves and comment is unnecessary; and unless the deficiency is supplied great suffering to these Indians must of necessity result. It has been the practice and policy of the Indian Department to send a large part of the Indians on a buffalo hunt for four or five months each year, and it is presumed, that with such an expedient in view, only eight months' supplies have been furnished, with a hope that the Indians can subsist themselves for at least four months during the present fiscal year. Such a hope will, I am satisfied, be a vain one, and should not, and, indeed, cannot, be depended on. Two years ago the Indians had a successful hunt, and subsisted themselves for about five months. A year ago their hunt was a disastrous failure, and a very large number of Indians absent from the agency without rations suffered greatly for want of food. They soon destroyed all the small game that could be found; then lived for a time on dogs, coyotes, and horse-flesh, until beef could be issued to them at Camp Supply to keep them from starving until they could reach the agency. Permission was granted the Indians to go on a hunt in July, but as no buffalo could be found or heard of in the Territory, the Indians were advised by the agent and myself to give up the hunt, fearing an experience similar to that of last winter. Aside from the consideration that these Indians should give up the chase rather than continue it, as tending to

* Referred to in the testimony as "Exhibit F."

† This is a palpable error, although "according to copy" as found in the published reports. That it is not a typographical error, but an error of the original document, seems probable from the fact that the remainder—the "deficiency" in the last column—is based upon the figures as they stand, and not upon the correct figures.

The correct figures, and how they are obtained, are shown in Major Mizner's testimony (page 115); four thousand and four Indians, multiplied by 365, the number of days in years, gives a total of 1,826,460 rations; this, at three pounds of beef per ration, amounted to 5,479,380—not 5,179,380—a difference of three hundred thousand pounds. In other words, if Major Mizner's premises are correct, on correcting his figures to correspond with the facts, the deficiency for the year, instead of being something over fourteen hundred thousand pounds, as he makes it to be in this letter would be something over seventeen hundred thousand pounds.—[STENOGRAPHER.

foster a warlike spirit, and diverting their atte
pursuits, it is well known that the buffalo ha
peared from this region, and subsistence from
pended upon. The contracts made for beef
agency, and the amounts of each of the other p
lowed these Indians, so far furnished, seem to
ror Department did not intend to furnish more
for the year, or only what will suffice for eigh
heretofore upon the usual buffalo hunt to mak
this cannot be relied on the supplying of the
should at once receive the serious attention of
Attention is respectfully invited to article 5 of
Cloud Agency September 26, 1876, published
sioner's report for the same year. This agreem
1½ pounds beef, net, or 3 pounds gross, ½ p
corn and 4 pounds coffee, 8 pounds sugar, and
100 rations.

| | Purch
conte |
|---|---|
| Beef | 3, |
| Corn | |
| Flour | |
| Coffee | |
| Sugar | |
| Beans | None |

The above figures show that the supplies fur
ficient for eight months. The additional 27 p
that may be called for on the contracts will
these articles shown above: but the appropria
and subsistence of these Indians, together with
the Wichita Agency, is only $240,000, and the
curred for this agency alone amounts to over $
fact that the price of beef is much higher for
put it beyond the power of the Commissioner t
without an additional appropriation. While it
supply will be inadequate for the year, it is and
regular. Since the 1st of July, and until Septe
had little else than beef. A full issue of flo
The Indians are subjected to many aggravation
nature would not be slow to complain.

It seems proper for me to present all the facts
the department commander, that he may ur
partment, a more kind and humane treatment of
say, that the attention of the President be ca
he may lay the matter before Congress. Our
the necessity of making good our agreements
Indian Territory.

Very respectfully, your obedient servant,

Major Fourth

ASSISTANT ADJUTANT GENERAL,
Department of the Missouri Fort Leavenw

HEADQUARTERS FORT RENO, IND. TE

SIR: In compliance with the desire of the de

ontained in your telegram of the 13th instant, directing me to report he causes that led to the recent escape of the Northern Cheyennes rom the vicinity of this post, I have the honor to submit the following:

The Northern Cheyennes arrived at this post from Camp Robinson, Nebraska, under charge of First Lieut. H. W. Lawton, Fourth Cavalry, August 5, 1877, and were turned over to the agent of the Cheyenne and Arapahoe Agency August 8, 1877, as appears by letters addressed to your office and to Agent Miles hereto appended, and marked A and B.

An enrollment of these Indians showed:

Men	235
Women	312
Children	386
Total	933

With them were 4 Arapahoes, viz, 3 men and 1 woman, making a total of 937.

Since that date a few small parties have surrendered, and a few of the original number have died; so that on the 1st of July the number of Indians classed as Northern Cheyennes was 942.

A large part of these Indians found friends and kindred among the Southern Cheyennes, and have affiliated and mixed with them, joining their various bands and villages. About one-third of the Northern Cheyennes have remained together under the leadership of Dull Knife, Wild Hog, and Crow Indian, and comprised about 375 Indians, and it was this party, excepting about 50 persons under American Horse, that finally left the reservation and started north.

As near as can be ascertained the Indians who left comprised about 89 men, 112 women, and 134 children.

The general conduct and behavior of these Indians was about the same as the remainder of their people, and except the fact that their present location and treatment was a new experience to them, they did nothing to attract special attention. They were represented at all councils and talks held by the agent, expressed themselves about as the other Indians did, but always complained more or less about the rations, and particularly about the quality and quantity of the beef ration.

At first they wanted their rations issued in bulk, as had been done north but soon fell into the customs of this agency without special complaint.

After they had been here a few months, a few began to show and express themselves dissappointed in the country, and to wish themselves back north, but there was nothing to indicate a fixed or settled determination to go back.

The Cheyennes who left showed no desire to engage in farming or to follow the example of the other Indians in any civilized pursuits. They rather kept to themselves, and were quiet lookers on.

My letters of April 14, September 6 and 18, give nearly all the information that can be furnished in regard to these Indians, except perhaps as o the ration issued to them.

During the latter part of the winter and the early part of the spring he beef was very poor and was much complained of by all the Indians n all occasions, and it was really very bad. From the 1st of July to September 1 the issue of rations was very unequal. The regular full ation of flour was issued but twice, while beef was issued constantly. There was but little flour and sometimes no coffee or sugar. A table howing issues during July and August is appended and marked C.

I cannot say that there was any absolute suffering in consequence of

want of food, yet the Indians of all tribes insisted that the ration was insufficient and only lasted them for three days out of the seven for which it was intended. Their continual demand was for more beef. The treatment of the Indians has been fair and reasonable, and I have heard of no complaints except as to the ration. A few complained about not having houses, stock, and farm implements.

The causes which led to the leaving of the Northern Cheyennes, as far as I can learn, may be summed up as follows:

They appear to be disappointed in the country; they found it sickly, as they claim, without game, and generally distasteful to them.

The ration, meat particularly, was poor and entirely insufficient. They were homesick, desponding, and disappointed, and were anxious to get back to a country better known to them, and where an abundance of game could be had. While here they did not get enough to eat. Still they said nothing to indicate that they intended to leave the agency or to assume a hostile attitude. It was expected that they would finally submit quietly to the requirements of the agent, as he assured them he is now prepared to issue full rations of everything, and they were strongly urged to settle quietly in camp near the agency, where they would receive the same rations and attention as all the other Indians.

What impelled them to their final rash act is only known to themselves, but there can be no justification for their recent conduct, other than could be claimed by every other Indian on the reservation.

When overtaken and compelled to submit, they should be completely disarmed and dismounted, and fully one third of their men banished to Florida or some other safe place, away from their people; and Dull Knife, Crow Indian, Wild Hog, and Little Bear should be made special examples of.

I inclose herewith a report from United States Indian agent, J. D. Miles, on the same subject.

Very respectfully, your obedient servant,

J. K. MIZNER,
Major Fourth Cavalry, Commanding Post.

Assistant ADJUTANT-GENERAL,
Department of the Missouri, Fort Leavenworth, Kans.

Agent Miles' letter of September 20, 1878.*

[Referred to in Major Mizner's letter above.]

UNITED STATES INDIAN SERVICE,
Cheyenne and Arapahoe Agency, Ind. Ter., September 20, 1878.

COLONEL: I have the honor to acknowledge the receipt of your communication of even date, and in reply I mention primarily, as one of the causes which led the Northern Cheyennes to leave this reservation, that in the treaty made with these people in 1876 they were promised as a daily ration 1½ pound beef net, ½ pound of flour or ½ pound of corn, and 4 pounds coffee, 8 pounds sugar, and 3 pounds of beans to each 100 rations, which promise has only been carried out in part, the supplies received being insufficient. They were also promised houses for their chiefs and assistance to build houses for others, cattle, hogs, &c., none of which have been carried out.

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* Referred to in the testimony as "EXHIBIT G."

Again, they objected to the method of issuing rations by families, as tending to lessen the importance of the chiefs.

Under instructions, the issues to these Indians were kept distinct from the Southern Cheyennes and Arapahoes until July 1, 1878, the appropriations by Congress being made separately. This seemed to increase the ill feeling which has always existed between the Northern and Southern Cheyennes. When after July 1, 1878, the issues were no longer required to be kept separately, the Southern Cheyennes were encouraged to blend the Northern Cheyennes with their own people, in which they were successful to the extent of over 550 people, under Living Bear, Calfskin Shirt, Standing Elk, Turkey Legs, American Horse, and others, who, accepting this country as their permanent homes, have placed their children in school and are well behaved.

The remainder of these people, under Dull Knife, Wild Hog, Crow Indian, Little Wolf, and others, separated from the majority and camped by themselves from seven to twelve miles from the agency. These were regarded by the Southern Cheyennes as "seceders."

On the 5th instant information was given by the other Indians that the Northern Cheyennes were constantly stealing their best ponies, and that they had every reason to believe some of the young men of these seceders had already gone north, and that the others were preparing to follow. To the end that this office might know with certainty whether these reports were justified or not, an enrollment of all male adults of the Northern Cheyennes was ordered. All those who had affiliated with the Southern Cheyennes promptly obeyed this order, but these discontents refused to report, making all manner of excuses, sending daily representatives as bearers of messages, until the 9th instant, when they demanded a modification of the order.

In addition to the frequent conferences with the chiefs myself, I sent Mr. Covington, agency farmer, on the 7th and 8th instant, to their camps, who urged upon them the necessity of promptly complying with the order for enrollment, assuring them it would affect only those found absent; that our whole purpose was merely to find how many, if any, had left; that measures could be taken to effect their return, and those remaining would be in no way injured, but left their liberty as usual. Every measure was taken, in conjunction with yourself, to secure compliance with this necessary order in a firm but friendly manner, but without effect, and on the night of the 9th instant they escaped from their camp, which they had strongly entrenched, leaving their lodges and tepees standing.

Some of their young men were heard to say, "We are sickly and dying here, and no one will speak our names when we are gone. We will go north at all hazards, and if we die in battle our names will be remembered and cherished by all our people."

Very respectfully,

JNO. D. MILES,
United States Indian Agent.

Col. J. K. MIZNER,
Commanding Fort Reno, Ind. Ter.

B.

HEADQUARTERS FORT RENO, IND. TER.,
August 8, 1878.

SIR: I have the honor to inform you that the Cheyenne and Arapa-

hoe Indians who arrived at this post on the 5th instant, and who came from the Red Cloud Agency, under charge of First Lieut. H. W. Lawton, Fourth Cavalry, have been ordered to report to you, for your care, at the Cheyenne and Arapahoe Agency.

An enrollment of these Indians, a copy of which has been furnished you, shows a total of 933 Cheyennes and 4 Arapahoes.

Very respectfully, your obedient servant,

J. K. MIZNER,
Major Fourth Cavalry, Commanding.

J. D. MILES, Esq.,
U. S. Indian Agent, Cheyenne and Arapahoe Agency, Ind. Ter.

C.

*Weekly issues for two months prior to the flight of the Cheyennes.**

[Number of Indians, 5,004.]

Date.	Beef, gross.	Coffee.	Sugar.	Flour.	Corn.	Bacon.	Lard.
July 1	106, 113	.....	.....	12, 438	5, 247	3, 537	.....
July 8	106, 113	.....	.....	17, 686	.....	3, 537	.....
July 15	101, 824	1, 415	2, 830	17, 685	.....	3, 537	.....
July 22	106 113	1, 415	2, 830	6, 216	11, 469	3, 537	.....
July 29	106, 113	521	.....	.....	17, 686	2, 501	.....
August 5	106, 113	1, 415	.....	.....	17, 686	.....	518
August 12	133, 501	.....	.....	.....	4, 522	.....	.....
August 19	106, 113	1, 415	2, 830	.....	.....	.....	.....
August 26	126, 127	1, 415	2, 830	.....	.....	.....	.....
September 2	106, 113	1, 415	2, 830	12, 526	.....	.....	.....

July 1, 354 pounds salt; August 26, 354 pounds soap; September 2, 354 pounds soap.
Taken from report of the agent's weekly issues.

Letter from Agent Miles to the Commissioner of Indian Affairs.†

CHEYENNE AND ARAPAHOE AGENCY, INDIAN TERRITORY,
November 1, 1878.

SIR: I have received your letter of October 16, 1878, inclosing an article, clipped from the New York Times of the 15th ultimo, touching the causes which led to the recent outbreak among the Northern Cheyennes.

I have submitted, patiently as I could, to the criticisms of the press, and have in no instance attempted to answer the unjust strictures made, believing that an attempt to do so would involve the expenditure on such defenses of much more time than I am able to spare from my official duties; but when a newspaper of the character and standing of the New York Times joins in the hue and cry raised by petty journals throughout the land, perhaps the time is ripe and the occasion opportune to embrace in one communication a reply to all.

*Referred to in the testimony as Exhibit H.
†Referred to in the testimony as "Exhibit ——."

Conceding to the late Colonel Lewis honesty of purpose in making his report to General Sheridan that the Cheyennes and Arapahoes were in a starving condition, living on short rations irregularly delivered, I yet submit that he was in no position to know that this state of affairs existed. He was in command of Fort Dodge, Kans., a military post distant from the camps of these Indians 235 to 250 miles, and he never visited the Indians nor did the Indians visit him. His official statement was made on the authority of one Amos Chapman, a scout employed at Camp Supply, Indian Territory, and it is very easily susceptible of proof that Chapman made but one trip to this country, had but little to do with any Indians except some Cheyenne women with whom he bargained for purposes of prostitution, the balance of his time at this place being spent in carousing at Fort Reno. No blame attaches to Colonel Lewis for believing a government employé, even when that employé's reports are mere fictions; and I state as a matter of fact, the proof whereof is overwhelming, that no such thing ever happened on this reserve as these Northern Cheyennes or any other Indians being *compelled* or obliged to eat decayed or any other kind of horse meat, either at the time specified or at any other time. I furthermore state and can prove by military and civilians of undoubted honor, that these Indians received a daily ration of three pounds of beef, it being issued in that proportion to each one alike, whether sucking babes or stalwart men, and that on two issue days immediately preceding their departure these Northern Cheyennes received, in common with every other Indian on the reserve, an extra issue of beef fully equivalent in value and nourishment to the flour not issued, for the very simple reason there was none on hand to give them; the lateness of the appropriation made by Congress and the time necessarily required for advertising, filing bonds, and awarding contracts, manufacturing, inspecting, and delivery of the flour at the agency in the Indian Territory by wagons, a distance of about one hundred and twenty miles, will account for its non-arrival at an earlier date.

The Interior Department, through the Indian Office, promised these Northern Cheyennes a daily ration, as set forth in section 5, treaty September 26, 1876, viz:

"In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States doesagree to provide all necessary aid to assist the said Indians in the work of civilization, to furnish to them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868. Also to provide the said Indians with subsistence, consisting of a ration for each individual of a pound and a half (1½) of beef (or in lieu thereof one-half (½) pound of bacon), one-half (½) pound of flour, and one-half (½) pound of corn; and for every one hundred rations four (4) pounds of coffee, eight (8) pounds of sugar, and three (3) pounds of beans, *or in lieu of said articles the equivalent* thereof, in the discretion of the Commissioner of Indian Affairs. Such ration, or so much thereof as may be necessary, should be continued until the Indians are able to support themselves. Rations shall in all cases be *issued to the head of each separate famil*, and whenever schools have been provided by the government for said Indians no rations shall be issued for children between the ages of six and fourteen years (the sick and infirm excepted), unless such children shall regularly attend school. Whenever the said Indians shall be located upon lands which are suitable for cultivation, *rations shall be issued only to the persons and families of those persons who labor* (the aged, sick, and infirm excepted); and, as an in-

centive to industrious habits, the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life. The government will aid said Indians as far as possible in finding a market for their surplus productions and in finding employment, and will purchase such surplus as far as may be required for supplying food to those Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of government work upon their reservation."

The beans specified were not furnished, but fully their value was furnished in baking powder, lard, salt, soap, and tobacco, none of which, as will be observed, were specified in that treaty to be furnished them.

In furnishing articles in lieu of those mentioned in the treaty the government complied with the spirit of the treaty and in a manner to a great advantage to the Indians. How far would the three pounds of beans daily to one hundred persons have mitigated the pangs of hunger? It would not have been sufficient to have satisfied one healthy man.

Basing my conclusion on an absolute knowledge of all the facts, I state that, in the aggregate, these Northern Cheyennes received fully all that their treaty entitled them to.

The single ration, as established by the department, might not be sufficient for a healthy adult, yet as the same ration is issued to all without regard to age, *babies included*, it certainly is sufficient to sustain life without any reasonable grounds for want. As, for instance, in a family of five persons, there will be usually one small child who does not require meat, and consequently this ration of beef is distributed among the remaining four.

It is the improvident habit of these people to consume the weekly issue of beef during the first three or four days after it has been issued, and the time intervening until the next issue has to be eked out by the indolent with the flour and small ration. All who occupy their time at work do not as a general rule require so much; but those with nothing in the world to occupy their minds fully nine-tenths of the time, they naturally take an interest beyond that of an industrious man in the gorging of their stomachs. Therefore, I submit that the "certain specific rations which were to be given the Northern Cheyennes, in consideration of their willingness to live in the Indian Territory," were actually given either as specified or in their equivalents.

It is also a noticeable fact that while an Indian is a tremendous eater, he is also possessed with a wonderful faculty for fasting, and can endure greater privation of food, with less real suffering and fatigue on a march, than the average white person.

In regard to the two or three issues of coffee and sugar withheld from this band and yet given to the Southern Cheyennes, I have to state that the coffee and sugar were withheld as stated, and under the authority given, but that it was withheld alike from those Northern and Southern Cheyennes who utterly refused to work. Under the treaty with these Indians they agree to assist in their own support, and it was to compel an attempt to perform what they promised that this measure was taken. Shall only the government abide by its part of the agreement? Shall the few obstinate Indians that may chance to be located at an agency be allowed to ignore their share of the contract with perfect impunity for fear of creating a disturbance? I believe, for the good of this class of Indians themselves, and for the sake of the many who are better disposed, every good citizen will say, no. The season for them to make an "*attempt*" (and I was willing to accept the "attempt") to farm and try and

ecome self-supporting was at hand. The treaty they were governed by equired them to work, department regulations required that they ould work, yet they flatly refused to touch a plow or handle a hoe. 'as not the desire of the government to enforce an obligation volunarily entered into natural and right?

The endeavor has been made by some parties to fix the whole odium f the breach of contract upon the government, whereas the first breach as made by this band of Indians, in their refusal to comply with that ipulation of their treaty requiring them to endeavor to become *self-sus-ining*—a condition so much desired by every American citizen.

How far the Cheyenne chiefs who signed the treaty of September 26, 876, represented the people for whom they signed at the time, I cannot ay. The government, under that treaty, holds it as affecting every one f them, but not one of the chiefs who left this agency September 9, 878, signed that treaty, and on more than one occasion one of the hiefs who left informed me in substance that he had never made a treaty, nd had only come south on trial and under great pressure, and have ontinually talked of returning and threatened to return when matters id not go to suit them.

The causes which, in my judgment, induced these Indians to leave have een previously reported by me to the department, and may be summed up in brief as follows, viz:

1st. They demanded the issue of rations *in bulk to bands*, instead of heads of families" as provided by treaty and regulations.

2d. Refusal to make any effort at labor with the view to ultimate self-upport, and the consequent withholding of three issues of sugar and offee only—fully supported by treaty and regulations.

3d. By their own talk and acts they had become so obnoxious to a arge portion of their own people and those of the Southern Cheyennes nd Arapahoes as to be forced to camp to themselves, thus barring all neans of affiliation and reconciliation through the well-disposed Indians, nd when thus separated from better influences were continually planing and plotting to get back north.

4th. Since these Indians left, information has been given by trustworthy Southern Cheyennes that this party of Northern Cheyennes 937) transferred to this agency in August, 1877, brought with them, and ad in their possession over one hundred Springfield carbines, being the rms captured by them from General Custer's command at the time of is death. The very fact of these Indians having successfully secreted hese arms during their journey south and since their arrival at the gency, encouraged them in the belief that they were in the possession f the means by which they could cut their way back north at such time s they might consider most opportune. Had this band of Indians been isarmed (as I was led to believe they had), *as all captive hostiles should e*, and dismounted, there would not have been the least possible show or them to have taken such desperate chances.

Col. J. K. Mizner, commanding Fort Reno, Idaho, under date October 5, 1878, in answer to a communication of my own dated October 22, f same year, bearing upon this subject, makes the following statement, iz: "In reply to your letter of 22d instant, asking information as to whether the 937 Northern Cheyennes who arrived at this post under harge of Lieutenant Lawton, Fourth Cavalry, August 5, and who were urned over to you August 8, 1877, were disarmed previous to their arival here, or by me before being turned over to your charge, I have o state that I understood that these Indians *had been disarmed* previous o their leaving Red Cloud Agency, but I had no official information to

that effect." Thus it will be observed that the impression was gained that they *had been disarmed*, while in fact they were not.

The agent has been directly and inferentially charged with furnishing these Indians with arms and ammunition, and of a *superior quality* to that of the Army.

As to the *first* charge, I answer that it is without foundation; and as to the last, if there was any "superiority" in the matter it must have existed *in the manner of handling them*, as the pattern in their possession, as stated by the Southern Indians, must have consisted mainly of the Springfield carbine.

I cannot conceive how any thinking person could imagine that a civil agent would wish or even dare to place weapons in the hands of Indians who might bring them to bear against himself and an unarmed force of employés. The agent, with his family, of all others, desires that every bad Indian be disarmed.

The office of Indian agent was for years the synonym for fraud, and it is now almost a hopeless task for an agent to prove his honesty. Each outbreak of the naturally wild Indian, who cannot brook the restraints of civilization, no matter what the real cause may be, is attributed by an unthinking and unjust public to the agent's faults. For my own conduct and actions in all public matters I court the most searching investigation, and am willing to abide the judgment of any number of fair-minded men whenever it is thought expedient to investigate the conduct of this agency and its relations to the recent outbreak of the small band of Northern Cheyennes under the leadership of Dull Knife.

Very respectfully,

JNO. D. MILES,
United States Indian Agent.

Hon. E. A. HAYT,
Commissioner Indian Affairs, Washington, D. C.

Letter from the Commissioner of Indian Affairs to the Secretary of the Interior.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 16, 1878.

SIR: I have the honor to transmit herewith the report of Agent John D. Miles on the Cheyenne outbreak. This paper is so full and complete in all its statements that it leaves very little to be added to give an accurate history of the whole transaction.

The first inquiry in order is to ascertain and set forth precisely the amount of supplies of various kinds due to the Northern Cheyenne Indians under the agreement of September 26, 1876. The total number of these Northern Cheyennes is 937. The total amount of beef due them under the treaty for the year ending July 1, 1878, would be 914,256 pounds, or in lieu of that 152,376 pounds of bacon; the amount of beef given to them was 1,151,088 pounds, to which add bacon and lard, 16,204 pounds. The amount of flour to which they were entitled by the treaty was 152,376 pounds; the amount given to them was 159,024 pounds. The amount of corn due to them under the treaty was 152,376 pounds; the amount of corn given them was 6,792. The amount of coffee due to

*Referred to in the testimony as Exhibit J.

em under the treaty was 12,190 pounds; the amount of coffee actually ven them was 9,923 pounds. The amount of sugar due to them under e treaty was 24,380 pounds; the amount of sugar given to them was ,315 pounds. The amount of beans required by the treaty was 9,142½ unds, of which none were given.

In addition to the amount required by the treaty there was given to em 2,512 pounds of salt and 2,483 pounds of soap, besides tobacco and king-powder.

By the treaty they were entitled to receive, during the year, supplies the money value of $32,316; they actually received supplies to the ney value of $35,204. This statement disposes of all the clamor that has en current during the year that these Indians did not receive rations the amount to which they were entitled under the treaty.

On the 1st of July last 80 Northern Cheyennes who had previously en fed with the Southern Cheyennes were transferred to the Northern eyenne party, increasing its numbers to 1,017, and full treaty rations those 1,017 Indians from the 1st of July to the 7th of September, in-sive, would cost in money $8,345. The amount of rations given em, exclusive of corn raised by themselves, would amount to $7,743; we add to that the value of the corn raised, which is proper to be con-lered in this connection, the total amount of the money value of their pplies would amount to $7,991, or $352 in money value less than the ll government ration.

In this connection it would be fair to state that the rations for the ar ending July 1, 1878, were nearly $3,000 greater in money value an the Indians were entitled to by the treaty; and the small defi-ency represented by the $352 was owing to the fact that the Indian propriation bill was not passed by Congress until the 27th day of ay, and the opening of bids for supplies for the new fiscal year took ace on the 18th of June, and it was absolutely impossible to make the rchase of supplies and transport them to the agency in season to be ailable as soon as the supplies were actually needed. Nevertheless e deficiency in amount was so slight that it is impossible to say that ese Indians left the reservation for the want of sufficient food.

It should also be considered that the government ration, consisting of pounds of beef (gross), ½ pound of flour, ½ pound of corn, and for every 0 rations 4 pounds of coffee, 8 pounds of sugar, and 3 pounds of beans, r every man, woman, and child, is more than sufficient for the ample stenance of any community in the United States.

Section 3, page 449, United States Revised Statutes, provides "that r the purpose of inducing Indians to labor and become self-supporting, is provided that hereafter, in distributing the supplies and annuities the Indians for whom the same are appropriated, the agent distribut-g the same shall require all able-bodied male Indians between the ages eighteen and forty-five to perform service upon the reservation for e benefit of themselves or of the tribe at a reasonable rate of compen-tion, to be fixed by the agent in charge, and to an amount equal in lue to the supplies to be delivered, and the allowances provided for ch Indians shall be distributed to them only upon condition of the rformance of such labor under such rules and regulations as the agent ay prescribe: *Provided*, That the Secretary of the Interior may, by ritten order, except any particular tribe or portion of tribe from the eration of this provision when he deems it proper and expedient."

It will be seen by the law above quoted that it was the duty of the gent to withhold supplies at times in order to compel the Indians to

work if it was possible to get them to do so. No blame can attach to the agent for attempting to enforce this statutory provision.

I notice that Maj. J. K. Mizner, Fourth Cavalry, commanding at Fort Reno, has made a statement as to the quantity of supplies required by the treaty for the Cheyenne and Arapahoe Indians, and opposite which he attempts to place the amount actually purchased for the current fiscal year ending July 1, 1879. His statements are not accurate, and I presume the reason for the inaccuracy is that the facts in the case are not within his reach. There were $240,000 appropriated by Congress for the support of the Cheyenne and Arapahoe, the Kiowa and Comanche, and Wichita Agencies. The Cheyennes and Arapahoes are entitled under that appropriation to $133,000, and there is a clause in the appropriation act which permits the Indian Office to use the surplus that may arise in any one of the three tribes to cover any deficiency that may happen to either one. As the Wichitas contribute very largely to their own support there will in all probability be a surplus sufficient to cover a part if not the whole of any deficiency there may be in the Cheyenne and Arapahoe appropriation.

So far there has been expended for the Cheyennes and Arapahoes $142,329.99, which has purchased for them the following articles: Bacon, 40,410 pounds; beef, 3,750,000 pounds; baking-powder, 1,500 pounds; beans, 20,000 pounds; coffee, 38,000 pounds; corn, 150,000 pounds; flour, 600,000 pounds; hominy, 2,500 pounds; lard, 10,000 pounds; salt, 15,000 pounds; soap, 10,000 pounds; sugar, 80,028 pounds; tea, 50 pounds tobacco, 4,500 pounds.

In addition to the amount of beef purchased above, we are entitled under the contract to call for 25 per cent. more, which would make the total amount of beef available for the year under the contract 4,787,500 pounds, an amount of beef which will be quite sufficient for the purposes of the agency.

Maj. J. K. Mizner, by his want of familiarity with the subject, is led into a serious error in his published statement, by his assumption that the treaty calls for both beef and bacon, when, in fact, it calls only for beef or bacon, and it is also determined by the treaty that one-half pound of bacon is equivalent to one and one-half pounds of beef net or to three pounds of beef gross; and by his method of figuring he arrives at the conclusion that there is a deficiency under the treaty so far, in the purchases for the current fiscal year of 2,807,421 pounds of supplies. We have at present purchased within 464,774 pounds of the aggregate weight of the supplies called for by the terms of the treaty; and this is based upon the highest actual number of Indians that have been fed at any time at the agency. We are entitled under the beef contract to call for an additional quantity of 937,500 pounds, which when taken will make 472,000 pounds more than the treaty requires.

The following is an accurate statement of the amount of supplies called for by the treaty for the largest number of Indians ever fed at the agency, and also showing the amount actually purchased so far for the fiscal year ending June 30, 1879.

	Supplies called for by treaty.		Supplies actually purchased.	
Beef or its equivalent in bacon...	4,542,562	pounds gross.	4,787,500	pounds gross.
Flour	757,085	"	600,000	"
Coffee	60,566	"	38,000	"
Sugar	121,132	"	80,028	"
Beans	45,422	"	20,000	"
Corn	757,085	"	150,000	"
Hominy			2,500	"
Lard			10,000	"
Soap			10,000	"
Salt			15,000	"
Tobacco			4,500	"
Baking-powder			1,500	"
Tea			50	"
Total	6,283,852		5,719,078	pounds.
Provided to be called for under contract for beef			937,500	"
			6,656,578	"

Major Mizner further states that "during the latter part of the winter and the early part of spring the beef was very poor, and was complained of by the Indians; it was really bad." And yet it was accepted by Lieut. William Morrison, a military officer under Major Mizner, detailed for the purpose of seeing that the Indians had good merchantable beef cattle issued to them. Major Mizner further states that from the 1st of July to the 1st of September "the rations lasted for three of the seven days." Undoubtedly they did last for three days, and while, in fact, they were sufficient for seven days, Major Mizner intended to have it inferred that they were sufficient for only three days. In order to ascertain that such was the fact, it was necessary for him to visit the lodges of over 5,000 Indians and take a detailed inventory of their food supply. In opposition to such a random statement, which has been quoted with his other assertions, are the facts given herewith of the daily ration issued for every man, woman, and child at the agency.

Major Mizner says further, "If they [the Indians] are left with the means to go to war, we simply sleep on a volcano." "I have also to ask that any Indians sent from the north to this department be disarmed and dismounted before being sent here." It is plainly the duty of the military authorities to disarm and dismount the Indians. It is not the duty of the civil agent, nor has he the power, to disarm and dismount; and the fact that these Indians had arms is certainly not the fault of the agent, as has been charged, but the blame rests elsewhere.

The statements to which this letter is a reply in detail are of the same character as the unfounded assertions put forth almost daily in regard to the administration of Indian affairs, and I would respectfully submit whether it would not be proper for officers in government service to ascertain the facts in each and every case before making unwarranted publications.

I have the honor to be, very respectfully, your obedient servant,

E. A. HAYT,
Commissioner.

Hon. C. SCHURZ,
Secretary of the Interior.

SICKNESS AND MEDICINES.

AGENT'S ESTIMATE OF MEDICINES NEEDED FOR 1878.

[The document earliest in date of the large number furnished the

committee by the Indian Office and by Age
estimate of the medical supplies needed for t
30, 1878. This document, however, contains
investigation, unless it be the fact discoverab
ment that the amount estimated of medicin
much less than the same agent estimated for

THE AGENT'S ESTIMATE FO

[Agent Miles's estimate for the fiscal year e
accompanied by the following letters of expl

CHEYENNE AND ARAPAHO
Darlingt

SIR: In submitting my annual estimate for
ensuing fiscal year, I deem it necessary to ma
find by reference to the circular of instructio
plies, issued by the honorable Commissioner o
States Indian agents, that I am required to
ensuing fiscal year upon the specific quantities
ent fiscal year. I would respectfully state th
estimate would fall far short of the actual re
agency. During the present fiscal year I ha
rassed for want of proper and sufficient
obliged frequently to substitute and extempo
ment of the service; and, had it not been for
surgeon at Fort Reno, I. T., who kindly loane
of such medicines as were imperatively neces
quite impossible for me to have successfully t

I would respectfully state that I consider t
too large to meet the actual wants of 5,000
ployés, and that any material reduction woul
mental to the best interests of the medical ar

Respectfully,

LAWRENCE

JOHN D. MILES,
United States Indian Agent,
Cheyenne and Arapahoe Indian A

[Indorsement.]

OFFICE UNITED STATES INDIA
CHEYENNE AND ARAPA

Respectfully forwarded to the honorable Co
fairs. The proper treatment of disease is a s
importance that it is believed that it is only n
ter of adequate supplies of proper remedie
department to insure a full supply of all the d

Uni

The estimate which accompanied the prece
other articles) for

Cinchona, fluid extract of (with aromatics), in eight-ou
Quinia, sulphate of, in one-ounce bottles, or compressed
Cinchona, F. E. .....

DR. HOOD'S REVISION OF

The preceding estimate of Agent Miles was
to Washington (see testimony of E. J. Bro

Pension Office. This revised estimate included (among other things) a reduced quantity of anti-malarial remedies, as follows:

Cinchona, fluid extract of (with aromatics), in eight-ounce bottles	84 oz.
Cinchonidia	75 oz.
Quinia, sulphate of, in one-ounce bottles, or compressed in tins	75 oz.

This revised estimate by Dr. Hood was embraced in and made a part of the "Jadwin contract," hereinafter referred to.

THE JADWIN CONTRACT.

[Bids were advertised for and made; and were opened in New York on the 18th of June (see testimony of E. J. Brooks). The contract was awarded to Orlando H. Jadwin; the following being the essential portions of said contract:]

This agreement, made and entered into this 30th day of July, one thousand eight hundred and seventy-eight, by and between E. A. Hayt, Commissioner of Indian Affairs, for and on behalf of the United States of America, party of the first part, and Orlando H. Jadwin, of Brooklyn, Kings County, New York, party of the second part, for himself, his heirs, executors, administrators, and assigns, witnesseth:

That the said parties have covenanted and agreed, and by these presents do covenant and agree, to and with each other, as follows:

ARTICLE 1. That the said party of the second part, for himself, his heirs, executors, and administrators, hereby agrees to furnish and deliver, in the government warehouse, or such other place or places in the city of New York as may be designated by the said party of the first part, to such agent of the United States as may be designated to receive the same, and within thirty days from the date hereof, in accordance with the terms of the advertisement of the said party of the first part, dated May 24th, 1878, hereto attached, and which is made a part of this agreement, such of the articles named in the said schedule as may not be stricken therefrom by the party of the first part before he signs this agreement.

ARTICLE 2. That the party of the first part, however, reserves the right to require a greater or less quantity, not exceeding twenty-five per cent. in either case, of any of the goods or supplies than that specified in the said schedule, at the price or prices therein stated.

ARTICLE 3. That the party of the first part agrees to pay, or cause to be paid, to the said party of the second part, his heirs, executors, or administrators, for all the goods and supplies received under this agreement, at the rate or price affixed to each article designated in said schedule; payment to be made on presentation, at the Office of Indian Affairs, of invoices of the goods received after the same shall have been properly approved.

ARTICLE 4. That the party of the second part agrees that all goods or supplies to be furnished under this agreement shall be properly packed and marked, ready for shipment, according to directions, which will be given by said party of the first part.

ARTICLE 5. That it is agreed by and between the parties hereto that all goods or supplies offered for acceptance under this agreement shall be inspected by the samples thereof submitted with the proposals by persons properly designated for that purpose, &c. * * *

ARTICLE 6. That it is agreed, however, that, before the United States shall be bound by this agreement, the party of the second part shall furnish a joint and several bond, in the sum of five thousand dollars, duly executed, with two or more good and sufficient sureties; said bond

to be conditioned for the faithful performance of this agreement, in all its particulars, by the said party of the second part.

* * * * * * *

In witness whereof, the undersigned have hereunto subscribed their names and affixed their seals the day and year first above written.

E. A. HAYT, [SEAL.]
Commissioner of Indian Affairs,
For and on behalf of the United States.

Witness:
JOHN A. BECKWITH.
A. F. GENTES.

ORLANDO H. JADWIN. [SEAL.]

N. K. BARNUM.
ABM. K. EARLE.

A list of the articles to be furnished to the government—not alone for the Cheyenne and Arapahoe Indians, but for all the Indians in its charge, except possibly those on the Pacific coast (see testimony of E. J. Brooks)—was incorporated in this contract, including, among other articles—

	Ounces.
Cinchona, fluid extract of (with aromatics), in eight-ounce bottles	964
Cinchonidia, sulphate of	390
Quinia, sulphate of, in one-ounce bottles, or compressed in tins	382

[Upon the back of this contract were the following indorsements:]

Articles of agreement for the delivery of goods or supplies, between A. E. Hayt, Commissioner of Indian Affairs, and Orlando H. Jadwin, for medical supplies. Dated July 30, 1878. Expires June 30, 1879. Bonds, $5,000.

BOARD OF INDIAN COMMISSIONERS,
Washington, D. C., August 17, 1878.

The within contract is examined and approved.

B. RUSH ROBERTS,
E. M. KINGSLEY,
Executive Committee.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., August 24, 1878.

The action of the executive committee is hereby sustained.

A. BELL,
Acting Secretary.

Notification of approval.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 26, 1878.

SIR: I have to notify you of the approval, by the proper authorities, of articles of agreement entered into by this office and Orlando H. Jadwin, dated July 30, 1878, for medical supplies.

* * * * * * *

E. A. HAYT,
Commissioner.

E. SEWARD,
Nos. 61 *and* 63 *Wooster st., N. Y.*

AGENT MILES'S APPEALS FOR MEDICINES.

[Before the medicines under the Jadwin contract were delivered—even before it was approved by the executive committee of the Board of Indian Commissioners and by the Acting Secretary of the Interior—Agent Miles had made repeated representations of his lack of medicines, and appeals that they be furnished. Below are extracts from his monthly reports and other letters bearing upon this point:]

[From monthly report dated July 1, 1878.]

* * * The season of greatest malarial sickness is at hand, and a corresponding increase of sickness from that source is noted. A lack of sufficient remedies is the only obstacle to a successful treatment of this disease by the agency physician.

[On the 3d of August, Agent Miles telegraphed to the department for one hundred ounces of quinine. The dispatch itself is not to be found among the department records—only a memorandum that a dispatch to that effect was received.]

[From monthly report dated August 5.]

The sanitary report herewith transmitted shows over one hundred cases of sickness successfully treated; but the number treated shows only a portion of those applying for treatment. Fully as many if not more cases have been turned away, by reason of the supply of proper remedies being completely exhausted, so that the agency dispensary presents only a beggarly array of empty shelves, and the good resulting from the successful practice is more than overcome by reiterated refusals to render medical aid.

A SMALL SUPPLY OF QUININE FURNISHED.

[On the 10th of August, Hon. E. M. Kingsley was requested to purchase and forward to the Indians at the Cheyenne and Arapahoe Agency and other agency a small supply of quinine, as appears by the following letter:]

OFFICE OF INDIAN AFFAIRS,
Washington, August 10, 1878.

SIR: Authority having been granted by the honorable the Secretary of the Interior for the purchase, in open market, of one hundred ounces of quinine, I will thank you to attend to the matter, and have sixty ounces packed, marked "U. S. Indian Agent, Wichita Agency, Indian Territory, via Wichita, Kansas," twenty-five ounces "Cheyenne and Arapahoe Agency, Indian Territory, via Wichita, Kansas," and fifteen ounces "Quapaw Agency, Indian Territory, via Baxter Springs, Kansas," and ship per express.

Have the parties from whom you purchase to pay express charges and include the same in their account, invoices of which must be made in quadruplicate.

Very respectfully,

WM. M. LEEDS,
Acting Commissioner.

Hon. E. M. KINGSLEY,
30 *Clinton Place, New York City.*

[On the 14th of August, the Indian Office telegraphed to William Nicholson, superintendent of Indian affairs at Lawrence, Kans., as follows:]

OFFICE OF INDIAN AFFAIRS,
August 14, 1878.

WM. NICHOLSON,
Lawrence, Kans.:

Buy ten ounces quinine for Cheyenne and Arapahoe, and ship by express. Send invoice and express receipt here.

E. A. HAYT,
Commissioner.

MORE APPEALS FROM AGENT MILES.

[Extract from letter of Aug. 16, 1878.]*

On May 13, 1878, an estimate of medical supplies was forwarded to your office; and on August 3, a telegram was sent advising of a great amount of malarial sickness, many deaths, and continuing request for an immediate supply of one hundred ounces of quinine. To neither estimate or telegram has any response been received to date. Attention was also called to this matter in monthly report of July, 1878.

With over five thousand Indians to care for, the supply of medicine furnished this agency is not one-half as great in quantity nor near as various in character as that furnished Fort Reno by the medical department of the Army, with only one-twentieth of the number of persons to care for. Many deaths have already occurred from a lack of proper remedies, and so completely exhausted is the supply of medicine that the agency physician has been obliged to close his dispensary. Not one grain of any anti-malarial medicine has been on hand the present quarter; the liberality of the post has been tried to the utmost, and the whole stock of the stores borrowed and dispensed; and now we can only, as quietly as we can, see many die, who could have lived had the proper remedies been available. Cannot something be done immediately?

[Extract from the letter of August 21, 1878.]

I have the honor to acknowledge the receipt this day, by express, of ten ounces of quinine, purchased by Dr. Wm. Nicholson, Lawrence, Kans., pursuant to your instructions.

The demand at present for malarial antidotes is so great that this supply will only last one week.

[Extract from monthly report, September 2, 1878.]

In accordance with department requirements, I have the honor to submit herewith my report of affairs at this agency for the month of August, 1878.

The past month has been characterized by the absence of any quantity of rain, intense heat, and great prevalence of malarial disease of a very malignant type. In consequence the mortality has been large, but as

* Referred to in testimony as "Exhibit D."

it has been impossible to obtain the exact number of deaths. ly one-half of all the Indians have been under treatment for fever . ague of greater or less violence; and the absence (on account of aution for a time) of every kind of malarial remedies has been the se of many deaths of those who doubtless could have recovered with per treatment. During the month the agency physician received 95 ces of quinine by express. This reached the agency the past week, l at date of this writing but 25 ounces remain unexpended, and the and is still great.

THE INDIAN OFFICE HURRIES UP JADWIN.

WASHINGTON, D. C.,
September 24, 1878.

NARD, 61 *Wooster Street, New York City:*

adwin must make immediate deliveries under his contract, or else must buy at his expense. See McKesson & Robbins and get their es as compared with Jadwin's. No further delay will be tolerated, he thirty days specified in the contract are up. Report at once.

WM. M. LEEDS,
Acting Commissioner.

MORE APPEALS FOR MEDICINE.

[From monthly report dated September 30, 1878.]

OFFICE UNITED STATES INDIAN AGENT.

have the honor to submit herewith my report of affairs at this ncy for the month of September, 1878.

he past month has been characterized by the continued prevalence nalarial diseases among the Indians and employés, and as the bal- e of quinine remaining on hand at the beginning of the month was n exhausted, and no other medicines were received from the depart- nt during the month, there has been much suffering and some deaths. Indians inform me that in every instance where the agency physi- n has been able to administer quinine in sufficient quantities the ients have recovered; while on the other hand many of those who e failed to receive such treatment have suffered much and long, and ne have died. These Indians seem to have no reliable specific for chills l fever among their own list of medicines, while they have for some er diseases, snake-bites, &c. The absence of the annual supply of licine during the malarial season of the year is very much to be re- tted, and is a source of discontent among the Indians.

[Letter from Superintendent Nicholson.]

OFFICE OF INDIAN AFFAIRS,
CENTRAL SUPERINTENDENCY,
Lawrence, Kans., October 9, 1877.

n. E. A. HAYT,
Commissioner of Indian Affairs, Washington, D. C.:

transmit herein a letter from the physician of the Cheyenne and

Arapahoe Agency, I. T., indorsed by Acting Agent B. H. Miles, in which application is made for fifty ounces of quinine on account of exhaustion near at hand of remedies for malarial fever, which has prevailed unusually this season, especially among the Northern Cheyennes who have not yet become accustomed to the climate.

I would respectfully request immediate attention in order to avoid the consequences likely to ensue otherwise.

Respectfully,

WM. NICHOLSON,
Superintendent.

[Letter from the agency physician.]

CHEYENNE AND ARAPAHOE INDIAN AGENCY,
Darlington, I. T., October 2, 1877.

B. H. MILES,
Acting United States Indian Agent, Cheyenne and Arapahoe Agency, Indian Territory.

I would respectfully call your attention to the fact that my supply of quinine and the cinchonidia alkaloids are about exhausted. An unusual consumption of this drug has been due to the prevalence of an epidemic of malarial fever of unprecedented extent and severity, especially among the Northern Cheyennes who were recently transferred from the Red Cloud Agency, and are not yet acclimated.

In view of this fact I would urgently request that fifty ounces of the sulphate of quinine (or its equivalent of the sulphate of cinchonidia) be purchased at once and forwarded to this agency by express. Otherwise much sickness and death will necessarily ensue.

Respectfully,

L. A. E. HODGE,
Agency Physician.

[Indorsement.]

Respectfully referred to the Hon. Superintendent of Indian affairs at Lawrence, Kans., for his information, with the request that the articles of medicine herein named be purchased and forwarded as indicated by agency physician.

B. H. MILES,
Acting United States Indian Agent.

[Telegram from Superintendent Nicholson.]

OFFICE OF SUPERINTENDENT INDIAN AFFAIRS,
Lawrence, Kans., October 9, 1877.

To E. A. HAYT,
Commissioner of Indian Affairs, Washington, D. C.:

Miles requests fifty ounces quinine sent immediately, by express, to Cheyenne and Arapahoe Agency.

NICHOLSON, *Superintendent.*

ORGANIZATION AND REPORT OF A MEDICAL BOARD.

OCTOBER 12, 1878.

SIR: Having in mind the unusual demand at this agency for medical supplies the present season, and to the end that the department might be well satisfied that the demand was warranted, I asked of commanding officer of Fort Reno the detail of all the physicians on duty at that post, who should, in conjunction with the agency physician, form a board to visit the various camps, ascertain the amount of sickness, and recommend a supply table which will meet the wants of this agency.

This duty they have faithfully performed; and the result of their labors, together with their recommendations, is embodied in the reports herewith inclosed, to which your attention is earnestly invited. It is believed that the estimate, based as it is on an equal number of men selected on account of physical ability as soldiers, is not any too large for the needs of the Indians, sex being about equally divided, and living in an exceptionally unhealthy country.

The great need of medical supplies has been repeatedly brought to the notice of the department, and it is recommended that the estimate already in the hands of the contractor be so enlarged as to furnish the agency with the full amount specified in the accompanying list. The failure of the medical supply is now the only source of complaint; and, this removed, the demands made upon the Indians can be more readily enforced, and as a consequence, greater progress may be expected where there are no drawbacks.

JNO. D. MILES,
United States Indian Agent.

A. E. HAYT,
Commissioner of Indian Affairs.

[The medical board referred to in the preceding letter prepared a report of the supplies needed, which included]—

Cinchona, fluid extract of (with aromatics), in eight-ounce bottles.....	192 oz.
Quinia, sulphate of, in one-ounce bottles, or compressed in tins.....	320 oz.

The report of this medical board was signed by A. A. Dahoffer, M. D., A. M., surgeon U. S.A.; Chase, M. D.; L. A. E. Hodge, M. D., agency physician.

AUTHORITY TO PURCHASE A SMALL SUPPLY.

[Telegram.]

OFFICE OF INDIAN AFFAIRS,
Washington, October 12, 1878.

Agent MILES,
Cheyenne and Arapahoe Agency, via Fort Sill, Ind. T.:

You are authorized to purchase medical supplies to cost not exceeding two hundred dollars.

WM. M. LEEDS,
Acting Commissioner.

HURRYING FORWARD THE MEDICINES.

[Telegram.]

DARLINGTON, I. T., *December* 10, 1878.

To HAYT,
Commissioner of Indian Affairs, Washington, D. C.:

Cannot medical supplies on annual estimate be hurried forward? Supply entirely exhausted, and large number of applicants for treatment daily refused.

CAMPBELL, *Acting Agent.*

[Telegram.]

OFFICE OF INDIAN AFFAIRS,
Washington, D. C., December 14, 1878.

JOHN D. MILES,
Wichita, Kans., or Darlington, Ind. T.:

Campbell telegraphs for medicines. If they are at Wichita, hurry them forward; if not, buy one hundred dollars' worth of most needed.

E. A. HAYT,
Commissioner.

[Telegram.]

WICHITA, KANS., *December* 19, 1878.

To E. A. HAYT,
Indian Commissioner, Washington, D. C.:

No medicines here. Will act as directed in balance of your telegram of 14th.

MILES.

[Telegram.]

OFFICE OF INDIAN AFFAIRS,
Washington, D. C., December 20, 1878.

To FENLON,
Leavenworth, Kans.:

Sixteen packages medicines for Cheyenne and Arapahoe, shipped from New York November 29th, have not yet arrived at Wichita. Trace and hurry them forward to that point.

E. A. HAYT,
Commissioner.

THE MEDICINES RECEIVED AT LAST.

[Extract from written statement to committee, dated August 22, 1879.]

* * * The annual supply of medicines embraced in my estimate of

May 10, 1878, was not received at the agency until Jan. 17, 1879, the entire malarial season having passed without these supplies.

JNO. D. MILES,
United States Indian Agent.

INDUSTRIAL PROGRESS.

DIMINISHING THE RATIONS OF INDIANS WHO REFUSE TO WORK.*

(Circular No. 10.)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
March 1, 1878.

The following instructions are promulgated for the guidance of Indian agents in the administration of affairs at their respective agencies.

* * * * * * *

To enable agents not only to encourage, but also to enforce, regular labor among Indians, it is hereby ordered that after the 30th of April next, sugar, coffee, tea, and tobacco (except in cases of old age or infirmity), shall be issued to Indians only in payments for labor performed by them for themselves, or for the agency.

Neither should payments for labor be made in excessive quantities of sugar, coffee, tea, or tobacco; but care should be exercised that the Indians do not receive more than double the daily ration now allowed of these articles, the balance still remaining due being paid them in other articles of utility. Generally the labor performed by Indians for themselves should be paid for at lower rates than that done for the agency.

Indians should also be informed that the issuance of regular rations of flour and beef cannot long be continued by the government, and should have impressed upon them the necessity of engaging at once in some civilized occupation by which they may become independent of government support.

* * * * * * *

(Circular No. 13.)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 15, 1878.

SIR: An impression has obtained with some agents that paragraph 5, office circular No. 10, relative to enforcing regular labor among Indians and directing that certain articles of subsistence be issued only for labor performed, obliged them to rate such labor at a fixed amount, and that the compensation for the same must be in a fixed amount of such articles of subsistence as were named.

This impression is an erroneous one, the design of this office being to have the Indian impressed with the idea, that he must perform some labor for his daily subsistence. The agent must exercise his own discretion as to whether the Indian is entitled to his daily ration by the spirit shown by him, in an effort to comply with the requirements of this office, and not by so many hours of actual labor performed at so

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*Referred to in the testimony as Exhibit C.

much per hour, to be paid for in definite quantities of tobacco, coffee, and sugar, at a fixed rate per pound.

Generally the issues to those who labor, must not exceed the daily ration, and never more than double that amount, and then only in rare cases and as a reward for unusual zeal and industry, and the issues of such articles to those who will not do any work must be entirely cut off.

WM. M. LEEDS,
Acting Commissioner.

ADDITIONAL ANNUITIES TO LABORERS.

[Extract from monthly report, dated October, 1878.]

Under instructions from your office, dated February 22, 1878, the remnant of last year's annuities were issued on 14th of the month, to individual Indians in part payment for labor performed during the past season; an accurate account of the number of days each had labored or amount of work performed having been kept, embracing the "wood-choppers," "wood-haulers," "hay-makers," "freighters," "police," and "farmers." The result of this experiment fully satisfies me of the wisdom of such a preference in the distribution of annuities as it is so just as to commend it favorably to the minds of those who were barred from its benefits on account of not having labored.

[Extract from monthly report dated April 1, 1878.]

I have the honor to submit the following, as my report of the condition of affairs at this agency during the past month, viz:

Number of Indians present and drawing rations.

Tribe.	No family.	Men.	Women.	Children.	School children.	Total.
Cheyennes	710	330	1,077	1,318	61	3,286
Arapahoes	331	492	458	677	78	1,705
Totals	1,041	1,322	1,535	1,995	139	4,991

During the latter part of the month the Arapahoes, and a portion of the Cheyennes, broke winter camps and located in small parties on the reservation, where they have commenced farm work to the full extent of the farm implements furnished them. Others would be at work in same way if we had the implements to furnish them. I think I can safely say that the Indians of the agency are well disposed, and a majority of them willing to go to work.

The fact that coffee, sugar, and tobacco will only be issued in payment for labor after April 30, inst., has been strongly impressed upon their minds, and every effort will be made with the means at our command to carry out the wish of the department.

INDUSTRY OF THE INDIANS—AGRICULTURAL IMPLEMENTS.

[Extract from monthly report, dated July 1, 1878.]

Conformably to requirement, I submit herewith my report as United tates Indian Agent for the Cheyennes and Arapahoes for the month of une, 1878.

There has been a slight increase in the number attached to this agency, s shown by the enrollment taken at the close of the past quarter; the otal number of Indians at present being 5,051, of which number there re Arapahoes, 1,761, and of Cheyennes, 3,290. The increase is entirely ue to births.

The Cheyennes who, under Howling Wolf's influence, adopted the hite man's ways in earnest, have chopped two hundred cords of wood, hat being the limit of that work assigned them. A part of them are ow hauling the wood to Fort Reno, and the ardor shown by them in the eginning has in no wise abated.

Most of the agricultural implements contracted for in April last have een received; but as, on their receipt, the season was too far advanced or many of the articles to be of use, it was deemed best to issue only reaking plows and single shovels, hoes, &c., to the Indians, retaining he stirring plows, seed, &c., for next year, believing they would be in a better state to work with then, than if issued to those who would undoubtedly use them at the proper season, but who have no place to store them in the meantime.

Care has been taken to place the breakers where they would be most effectively used, and it was made a part of the conditions of the issue that in case those to whom they were issued did not make a proper showing of results, they should be returned, to the end that others might receive them who would show a greater appreciation of the gift.

[From monthly report, dated August 5, 1878.]

I submit herewith monthly report of affairs at this agency for month nding July 31, 1878.

The strength of the tribes remains the same as previously reported, iz, 5,054—the deaths being fully balanced by the births.

Permission was received, on the 18th of July, to allow the Indians to o upon a buffalo hunt, in limited numbers, if properly escorted. Owing o reports being received from reliable parties that there were no buffaoes within the limits of the reservation, and the permission referred to ot allowing them to go beyond, the matter was fully explained to the hiefs and headmen, and resulted in an indefinite postponement of the unt.

The weather has been excessively hot, the thermometer registering ne day 110° in the shade, at Fort Reno, two miles from the agency, nd for many days in succession, showing over 95° in shade, often compelling the suspension of all outdoor labor during the hottest portion of he day.

The corn crops being at a point in cultivation where the results could not be aided by labor on them, no work has been done in farming except to guard the corn, &c., from destruction by stock. Several showers during the month have ensured a fair return for the labor expended in making corn.

INDUSTRIAL EDUCATION.

[Extract from monthly report, dated October 2, 1878.]

On the 17th day of the month, thirty wagons of the Indian train, J. A. Covington in charge, left the agency for Wichita, Kans., after supplies. They were accompanied by a party of twenty-three Indian children, and some camp Indians, with Mr. Seger in charge, who had been invited to attend the annual fair held at that city. Mr. Seger's object in attending this agricultural fair was to give the children an opportunity to see something of the world, and exhibit some of the results of the literary, household, and industrial training of these Indian children, as compared with living examples of camp Indians.

School opened on 1st of the month, with an increase in numbers; but it was not until quite late in the month that the house was filled. Some of the older girls had been "sold for wives," and could not be brought back. Idle, indifferent camp life and influence had overcome others; so that it required a grand rally to get some of the old scholars back, or new ones to take their places. In this connection I wish to express my decided convictions against any more partial or complete vacations. The average attendance for the mouth has been 125 $\frac{11}{30}$, with an enrollment of 156.

EMPLOYÉS AT THE AGENCY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 5, 1880.

SIR: In compliance with your verbal request, I have the honor to submit herewith, list of employés authorized by the department at the Cheyenne and Arapahoe Agency, Indian Territory, for the present fiscal year.

One physician, one commissary clerk, one farmer, one blacksmith, one carpenter, one sawyer and engineer, one assistant physician, one issue clerk, one assistant farmer, one laborer, one wagon-master.

Very respectfully your obedient servant,

E. J. BROOKS,
Acting Commissioner.

Hon. S. J. KIRKWOOD,
United States Senate.

THE MISSION HERD.

*Statement of purchases.**

April 1, 1876:
Bought with proceeds of crop of 1875:

10 head of milch cows	$250 00
1 bull	25 00
10 yearlings	80 00

* Referred to in the testimony as Exhibit N.

June 20, 1877:
Bought with proceeds of crop of 1876:

yearlings	$340 68
three-year-old heifers	93 00
cows	281 26

March 1, 1878:
Bought with proceeds of crop of 1877:

cows	
cows	150 00
cows	200 00
ponies for herding	110 00
head of cattle bought by agent on order of the Commissioner	249 86
head bought by earnings of the school	153 14

April, 1879:
Bought by agent, by order of Commissioner:

yearlings	3,160 00
head bought by sales of beef cattle	205 40
head bought by sales of pork	112 00
ponies for herding	60 00
ldles and bridles for ponies	50 00

Statement of increase and loss of herd.

April 1, 1876:

crease by purchase	21
crease by calves, 12; died, 1; net increase	11

June 20, 1877:

crease by purchase	82
nations placed in herd by Adie Bent	25
nations placed in herd by George Bent	8
nations of bulls by G. &. R. Bent	2
nations placed in herd by school-girls	12
nations from Bull Bear to daughter	2
nations from other sources	2
crease by calves, 12; died, 1; net increase	11

March 1, 1878:

crease by purchase	124
nation by A. E. R	2
nation by Romeo to daughter	12
crease by calves, 30; died, 10; net increase	20

April, 1879:

crease by purchase	13
crease by calves, 85; died, 15; net increase	70

June 30, 1879:

crease by purchase by order of Commissioner	400
crease by calves, 125; died, 8; net increase	117
crease from sales of cattle, the money being used to purchase others; net increase	26

Estimated value of herd, June 30, 1879:

cows, @ $15 each	$3,180 00
two-year-olds, @ $10	550 00
yearlings, @ $8	4,432 00
calves, @ $4	468 00
ponies	170 00
ddles and bridles	50 00
sh on hand from sales of stock	240 20
	9,090 20

JOHN H. SEGER, *Contractor.*

DISARMING HOSTILE IND

Letter from Major Mizne

HEADQUARTERS

SIR: I have the honor to inform you of th lodges of Cheyenne Indians, comprising ninety-s who reached the Cheyenne and Arapahoe Agen 28th instant, and were reported to me by Unit J. D. Miles, yesterday. Many of the Indians m hostilities with other northern tribes, and some o from the reservation without authority. It woul proper that their last step toward a reconciliatio render to the military authorities, and after ge horses they might be turned over to the care of

As this party of Indians was received and enro any official information reached this office of the appears that they are still in camp, and are repo titute condition, and to have but few arms, I d well to molest them. Hereafter, upon receivin proach of similar parties, I think a detachment to meet and escort them to the post, that the any dangerous men among them arrested befo the agent, or permitted to settle on the reservat course in future unless otherwise ordered. * *

I am, sir, very respectfully, your obedient

Major Fourth C

ASSISTANT ADJUTANT GENERAL,
DEPARTMENT OF THE MISSOURI.

RESIGNATION OF WILLIAM A

WASHINGTON, D.

SIR: I have the honor to respectfully invite y to the following statement and conclusion. Wh of chief clerk of the Indian Office, I did so with ing that I was not expected to confine myself te In accordance with such understanding, I have d vice early and late, and have endeavored to ren way that my previous experience in the Indian made it possible for me to do. During my occup ship I have felt that I have enjoyed your confid the honorable Commissioner of Indian Affairs. have arisen, however, between the Commissio have brought about a severance of those relatio to render the position of chief clerk desirable, a carry out a purpose which, for other reasons, I h Before doing so I desire to thank you for the kindness which have been shown me, and to exp your efforts and success in reforming the Indian

* Referred to in the testimony as Exh

hanking you for the leave of absence which was granted me in ac-
lance with my request of the 17th instant, I now beg leave to tender
resignation of the position of chief clerk of the Indian Office, to take
ct on the 25th instant.

Very respectfully, your obedient servant,

WM. M. LEEDS.

on. CARL SCHURZ,
Secretary of the Interior Department.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 22, 1879.

EAR SIR: I am in receipt of your letter of the 21st instant, stating
in view of differences of opinion that have arisen between the Com-
ioner of Indian Affairs and yourself, which render it impracticable
aintain such relations as make the position of chief clerk desirable,
further, that you feel called upon for other reasons to carry out a
ose long contemplated, and therefore tender your resignation, to
effect the 25th instant, your resignation is accepted to take effect
endered.

our devotion to duty and efforts to assist in purifying the Indian
ice have not been unnoticed by me, and from my knowledge of the
it gives me pleasure to say that the reasons existing for severing
r connection with the Indian Office do not in any manner affect the
ect and confidence to which your character and integrity are enti-
. You have my best wishes for your future success.

Very respectfully,

C. SCHURZ.

r. WM. M. LEEDS,
Washington, D. C.

PRESENT RESERVATION AND THE TENURE BY WHICH IT IS HELD.

DEPARTMENT OF THE INTERIOR,
Washington, June 5, 1880.

n. J. T. MORGAN,
United States Senate:

IR: I have the honor to acknowledge the receipt of your letter of
29th ultimo, calling attention to the 2d article of the treaty of Octo-
14, 1865, with the Cheyenne and Arapahoe Indians, and asking cer-
information in relation to the tenure by which they hold their pres-
reservation in the Indian Territory. In reply, I respectfully invite
r attention to the inclosed copy of report, dated the 4th instant, with
ompanying papers therein noted, from the Commissioner of Indian
airs, to whom the subject was referred, from which it appears that
present reservation of the Cheyenne and Arapahoe Indians was set
rt by an executive order, dated August 10, 1869, at the request of
Indians named.

Very respectfully,

C. SCHURZ, *Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 4, 1880.

The Hon. the SECRETARY OF THE INTERIOR:

SIR: I have the honor to acknowledge the receipt, by your reference for "early report," of a letter from Hon. J. T. Morgan, dated May 29, 1880, inquiring, in substance, if the President issued an order or otherwise designated the territory now occupied by the Cheyennes and Arapahoes in the Indian Territory as a reservation, under the second proviso of article 2 of the treaty of October 14, 1865 (Stat. 14, p. 703), and how the assent of the tribe was obtained and how evidenced?

By the second article of the treaty of October 14, 1865, the United States agreed that the "country embraced within the following limits, or such portion of the same as may hereafter be designated by the President of the United States for that purpose, viz: commencing at the mouth of Red Creek or Red Fork of the Arkansas River; thence up said creek or fork to its source; thence westwardly to a point on the Cimarron River opposite the mouth of Buffalo Creek; thence due north to the Arkansas River; thence down the same to the beginning, shall be, and is hereby, set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty."

Soon after the ratification of this treaty the Cheyennes and Arapahoes went upon the "war path"; and continued their hostilities until their capture in 1868, when they were turned over to the military authorities.

By their hostilities they forfeited all rights and privileges under the treaty of 1865, and therefore it became necessary to make another treaty with them. This was done, and the treaty proclaimed August 19, 1868 (Stat. 15, p. 593), and by the second article thereof nearly the same tract of country was set aside for their reserve as had been held under the previous treaty. They were still dissatisfied; and the most prominent cause of their dissatisfaction arose from the following facts; the reservation assigned them was not the tract they had been led to expect would be given them, it being farther north, and being totally unfit for agricultural purposes, and their great aversion to leaving the North Fork of the Canadian River.

Under date of July 31, 1869, Superintendent Hoag forwarded to this office an extract from a letter of General Hazen, dated July 24, 1869 (copies herewith inclosed,) setting forth the reasons of the dissatisfaction of the Indians, and recommending that they be allowed to remain on the North Fork of the Canadian River, and that land be given them in lieu of the treaty reservation; and again, on August 4, 1869, he forwarded another communication from General Hazen, dated August 2, 1869 (copies enclosed), setting forth the same facts and urging his previous recommendation.

Upon the receipt of these communications this office, under date of August 10, 1869, reported the case to the department, and recommended that, as the Indians were anxious to remain where they were, the tract of country mentioned in a previous report on the subject, dated June 19, 1869 (copy inclosed), should be set aside for them in lieu of the treaty reservation. This recommendation was approved the same day, and transmitted to the President for his signature, which was placed thereon August 10, 1869.

It will thus be seen that the authority for setting aside this reservation for the use of the Cheyennes and Arapahoes is that vested in the

President, and sustained by the Supreme Court in the cases of Walcott *vs.* Des Moines Company (5 Wall., 681); Grisar *vs.* McDonnell (6 Wall., 363), &c. It will also be seen that the consent of the Indians was not necessary, as the reservation was made at their own request.

I inclose a copy of this report.

Very respectfully, your obedient servant,

R. E. TROWBRIDGE,
Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 10, 1869.

SIR: Referring to my report to you of the 19th of June last, relative to the change of location of the reservation for the Cheyenne and Arapahoe Indians, I now have the honor to submit herewith copies of the following letters relative to this subject, viz:

Letter from Superintendent Hoag, dated the 31st ultimo, inclosing letter from Brevet Major-General Hazen dated the 24th ultimo.

Letter from Superintendent Hoag, dated the 4th instant, inclosing letter from General Hazen, dated the 2nd instant.

It appears from these letters that the Cheyennes and Arapahoes did not understand the location of the reservation as defined by the treaty of August 19, 1868; that they have never been upon said reserve and do not desire to go there, but that they desire to locate on the North Fork of the Canadian, some sixty miles below Camp Supply; that the agent for these tribes has a large quantity of valuable stores in this locality which are very much exposed.

Inasmuch as these Indians express a desire to be located upon a reserve, I think it very desirable that their wishes should be gratified and that they be not permitted to again roam on the plains. I therefore respectfully recommend that the President be requested to authorize the location of these Indians on the North Fork of the Canadian River, where they desire to go, and that immediate steps be taken to provide temporarily for them there. The country desired by them is public land, and I think it competent for the President to direct their location thereon.

In view, however, of the fact that these Indians have a reservation defined for them by treaty stipulation, legislation can be asked of Congress at the coming session to insure a permanent reservation for them where they may locate, and abandon as a reservation the present one, restoring it to public lands.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. J. D. COX,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
Washington, August 11, 1869.

SIR: I return herewith your report of the 10th instant, upon which is indorsed the President's approval of the recommendation by the department that the Cheyenne and Arapahoe Indians be removed to a new reservation selected for their occupancy on the North Fork of the Canadian River.

The papers which accompanied your report are also herewith returned.

Very respectfully, your obedient servant,

J. D. COX, *Secretary.*

Hon. E. S. PARKER,
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 19, 1869.

SIR: I have the honor to acknowledge the receipt, by reference from the Secretary of the Interior on the 10th instant, of a letter from Adjutant-General E. D. Townsend, bearing date the 9th instant, inclosing a copy of a telegram dated Fort Leavenworth, Kans., June 8, 1869, from Major-General J. M. Schofield to General W. T. Sherman, recommending that the reservation for the Arapahoe Indians be changed from its present location to the North Fork of the Canadian River, and requesting a report thereon from this office.

By the terms of the treaty with the Cheyenne and Arapahoe tribes of Indians, proclaimed August 19, 1868, it is provided in the second article thereof that—

> The United States agrees that the following district of country, to wit, commencing at the point where the Arkansas River crosses the 37th parallel of north latitude, thence west on said parallel, the said line being the southern boundary of the State of Kansas to the Cimarron River (sometimes called the Red Fork of the Arkansas River), thence down said Cimarron River, in the middle of the main channel thereof, to the Arkansas River, thence up the Arkansas River, in the middle of the main channel thereof, to the place of beginning, shall be, and the same is hereby, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from time to time they may be willing, with the consent of the United States, to admit among them.

It will be seen, from the language of the second article of said treaty just quoted, that a reservation (upon which they are now located) has already been provided for said Indians within the boundaries in said article designated, but I am of opinion that it would be better for both the Indians and the government if they were to be removed to the North Fork of the Canadian River, in accordance with the suggestions of General Schofield, provided any authority can be found for removing and locating said Indians in the manner contemplated.

Should you be of opinion that such authority exists, and determine, in pursuance thereof, to cause a removal of said Indians to be made from their present reservation, I would suggest that a tract of country be set aside for their occupation and use, bounded as follows, viz: Commencing at the point where the Washita River crosses the 98th degree of west longitude; thence north on a line with said 98th degree to the point where it is crossed by the Red Fork of the Arkansas (sometimes called the Cimarron River); thence up said river in the middle of the main channel thereof to the north boundary of the country ceded to the United States by the treaty of June 14, 1866, with the Creek Nation of Indians; thence west on said north boundary and the north boundary of the country ceded to the United States by the treaty of March 21, 1866, with the Seminole Indians, to the 100th degree of west longitude; thence south on the line of said 100th degree to the north boundary of the country set apart for the Kiowas and Comanches by the second article of the treaty concluded October 21, 1867, with said tribes; thence east along said boundary to the point where it strikes the Washita River; thence down said Washita River in the middle of the main channel thereof to the place of beginning.

The territory comprised within the boundaries last above designated contains a small portion of the country ceded to the United States by the terms of the treaty with the Creek Indians concluded June 14, 1866, a portion of the country ceded to the United States by the terms of the treaty with the Seminole Indians concluded March 21, 1866, and the remainder is composed of a portion of what is commonly known as the "Leased country."

Inasmuch as this office has no information upon the subject, except that conveyed by the telegram of General Schofield, which is very meager and indefinite, I am unable to determine the causes which seem to require this change, and I would therefore respectfully suggest, unless there is some pressing necessity which will admit of no delay, whether it would not be well to refer the matter to the proper officers of this bureau for investigation and report before any action is taken.

The letter of Adjutant-General Townsend, together with the copy of the telegram of General Schofield, are herewith returned.

Very respectfully, &c.,

E. S. PARKER,
Commissioner.

Hon. W. T. OTTO,
Acting Secretary of the Interior.

OFFICE SUPERINTENDENT INDIAN AFFAIRS,
Lawrence, Kans., 7th mo., 31st, 1869.

Hon. E. T. PARKER,
Commissioner:

Herewith please find a letter of General W. B. Hazen's, of the 24th inst., relative to the present condition of the Cheyennes. From information therein contained, and from conversation had with him this day corroborative of the same, I regret to learn that our labor with these Indians this season will be much retarded for want of a permanent home for them. If the location of their reservation is to be under the supervision of the bureau, it should be done at once. If under the War Office, should not that department be reminded of the suffering condition of this agency? I see no reason why the Cheyennes should not be accommodated in their choice of a new home, as indicated in General Hazen's letter. I cannot too strongly urge the importance of this question for the consideration of the department.

Very respectfully,

ENOCH HOAG,
Superintendent of Indian Affairs.

FORT HARKER KANS., *July* 24, 1869.

Rev. ENOCH HOAG,
Superintendent Indian Affairs, C. S.:

* * * * * * *

Mr. Darlington I found on the Arapahoe Reservation, but no Indians have arrived there. I have been fearful from the first, and am now more so than ever, that the reservation assigned these people will not answer. They objected, to it at first, and why not give them some voice in where they shall go. They certainly did not understand of the treaty that they were to go where the treaty reads. Why not let them go on the North Fork of the Canadian, where they ask to go? It is unassigned has excellent soil, good water, and a fair amount of timber. I learn from

the chief of the Osages that his people and
will be located much farther east in the Che
remove from Kansas. This will leave no oth
country but the one proposed. This ought to
and the Indians placed where they are to be
lington and his assistant are weary of waiting
I can learn nothing what the intention
department headquarters of Fort Leavenwo
is intended? This, of course, will receive the
sioners when they come out.

* * * *

I am, very respectfully, your obedient

OFFICE SUPERINTENDENT
Lawrence,

Hon. E. S. PARKER:

Herewith please find a letter of the 2d ins
relative to the Arapahoes and Cheyennes; a
the same be filed with my letter of 31st ultim
eral Hazen of 24th ultimo.

Very respectfully,

Super

LEAVENWORTH,

Rev. ENOCH HOAG,
Superintendent Indian Affairs:

With regard to the location of the Arapah
briefly state that they came in at Medicine B
ers of war, and have been held as such ever sl
ing any control over them.

Camp Supply was located as a convenient
that operated in the Indian country last w
where there were troops and provisions, the
It is some sixty miles outside of their reserve,
has no agricultural lands about it. It was
dians would be removed to their own reserv
having had no control of military matters the
the reason they have not been. Their own
suitable for those people; they do not like it,
did not understand where it was. I am inf
some point on the North Canadian (the str
some sixty miles below that camp, where the
erable timber. I would recommend, if they
mitted to go there, and that at once, as it is
matter of permanent location should be settled
with all his assistants, now waiting, can get a
of the season will, unfortunately, be lost a
quantity of valuable stores now at Mr. Dar
exposed, for which I asked a guard but was r

I am, very respectfully,

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CONGRESS, } SENATE. { REPORT
l Session. } { No. 709.

IN THE SENATE OF THE UNITED STATES.

JUNE 9, 1880.—Ordered to be printed.

VITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill S. 1454.]

e Committee on Pensions, to which Senate bill 1454 was referred, ıg examined the same, with the papers accompanying, find sthat ill proposes an amendment to the act granting a pension to Catha- Harris, approved June 19, 1878, and directs that the Secretary of nterior shall restore to the pension-roll the name of Catharine is, widow of Matthew Harris, late a post chaplain in the United s Army.

ıppears that by special act approved June 19, 1878, Catharine Har- ıs placed on the pension-rolls at the rate of $20 per month; that an cation for arrears of pension was rejected by the Pension Bureau ıse claimant's "pension was allowed under a special act of Congress, onsequently no arrears are due." Inasmuch as the claimant's name eady on the rolls, and she is in receipt of the full amount of pension rized by law, the committee report back the bill adversely, and ımend its indefinite postponement.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 710.

IN THE SENATE OF THE UNITED STATES.

JUNE 9, 1880.—Ordered to be printed.

Mr. WALKER, from the Committee on Public Lands, submitted the following

REPORT:

[To accompany bill S. 347.]

The Committee on Public Lands, to whom was referred Senate bill 347, for the relief of John B. Nix, report the same back, and recommend its passage.

The committee also adopt as its report the facts stated in the memorial of John B. Nix.

MEMORIAL OF JOHN B. NIX.

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialist, John B. Nix, a citizen of the United States, thirty-six years of age, respectfully represents that he is the lawful heir and the only son of Sarah Nix, deceased. That about the close of the year 1846, my mother, Sarah Nix, settled upon the northeast quarter of section numbered 30, township numbered 15 south, of range numbered 28 west of the fifth principal meridian, then in La Fayette County, State of Arkansas, at or near the west boundary of said State. That she built a dwelling-house and outhouses, cleared and fenced a small farm. Being a widow and poor, she knew not how to proceed to secure it as a home from the government, and being at a great distance from any one possessing knowledge of the law, was left to such advice as was best attainable, and consequently many mistakes have been made, unimportant in their nature and which were of no detriment to others, as there were no parties claiming adversely.

On the 22d day of April, 1853, she sent Mr. Aquilla Carr, as her agent, to the local United States land office, 50 miles distant, then kept at Washington, Ark., to file her declaratory statement, which he did on the said northeast quarter or tract of land above described, and which is now in the district of lands for sale at the United States land office at Camden, Ark. Having made this filing, she was informed that she had a preference right over all others to purchase the tract of land described, and rested under the belief that she had done all that was on that point required of her to secure her title to the land under the pre-emption law, and that all that remained to be done was to make payment at the proper time. About one year thereafter your memorialist received, as a gift from his grandfather, in South Carolina, the sum of $50, which was sent to the United States land office at Washington, Ark., to be applied on the payment of the tract of land above referred to. This sum was sent by my uncle, Benjamin Nix, and the register and receiver agreed to receive the same if Sarah Nix would send her affidavit that she had made the proper improvement on said tract. Accordingly she appeared before a justice of the peace, living in her neighborhood, and made the affidavit, which was carried to the land office by Benjamin Nix. The receiver took the money and gave a receipt for it of some kind, which has long since been lost. No further action was ever taken by my mother, Sarah Nix, for reasons hereafter stated, nor was any patent ever expected for that partial payment, as it was intended simply as a deposit, the money being in hand, to be applied when full payment was made. Shortly after this payment she was informed, and in fact it was the common understanding in the county, that on account of a proposed railroad no more money would be received by the government for public land in the neighborhood until the railroad was built, and then it would be at the increased price of $2.50 per acre. With this understanding the matter rested, and my mother, Sarah Nix, died December 23, 1863,

having never left her settlement, above described, and on which place your memorialist has lived up to the present time.

About the close of 1873, the Cairo and Fulton Railroad was completed to the Texas boundary, passing through the above-described tract of land, and the company laid claim to three forties, or one hundred and twenty acres, of the same, ordering your memorialist to stop plowing and cultivating the same, but which order has not been obeyed.

Your memorialist, being well advised, as he believes, when the said railroad company advertised to sell their lands from Little Rock to the Texas boundary, to wit, in May or June, 1874, for the sake of peace, and being willing to pay the government and the railroad company both, rather than have a lawsuit, went to Little Rock and offered to pay the company $2.50 per acre for their quitclaim to the land, which they refused, and notwithstanding they advertised that they would give actual settlers the preference over all others to save their homes, the land commissioner of the company refused the money when proffered in United States legal-tender notes, but very soon thereafter sold the same land to one of their own officers, who has annoyed your memorialist in persistent efforts to obtain possession. This was Thomas Allen, of Saint Louis, the president then, as now, of the said Cairo and Fulton, now Saint Louis, Iron Mountain and Southern, Railway Company. Your memorialist believes and states that said sale was fraudulent, collusive, and void, and intended only to affect and defeat, if possible, the title of mine. This will appear when it is stated that Mr. Allen, as president of the road, made a power of attorney to Mr. Loughborough to convey the land, and Mr. Loughborough, within a short time thereafter, conveyed the same to Mr. Allen, and all this with a full knowledge of the rights and equities of your memorialist.

In October, 1877, the President of the United States issued a proclamation restoring the public lands in the Camden district to market, sale to commence the 4th day of February, 1878. Your memorialist, after considerable correspondence with the register of the United States land office, and being advised by him what course to pursue, as will appear from his letters herewith submitted for your perusal, went to the United States local office at Camden, Ark., and paid into that office $300, for which an unconditional receipt was given by the register, the receiver being absent at the time (a copy of which is herewith submitted, bearing date of January 22, 1878), and afterwards received a conditional receipt from the receiver. When this money was paid, your memorialist, by his affidavit, as the heir of Sarah Nix, deceased, and the testimony of two credible witnesses, made the proof on the entire northeast quarter of section No. 30, of township No. 15 south, of range 28 west of the fifth principal meridian.

Your memorialist made the proper and usual proof on the whole one hundred and sixty acres, not supposing anything done by Sarah Nix could be regarded as final pre-emption proof, and for the further reason that the register of the land office at Camden advised me to that course. Supposing that I had done all the law required me to do, I expected to receive a patent from the General Land Office, but you can imagine my surprise when I was notified that the Commissioner of the General Land Office had on the 25th of March, 1878, rejected my application to prove up and pay for the pre-emption of my mother as her heir, on the ground mainly that the payment of the $50 by my mother, Sarah Nix, made on the 31st day of March, 1854, appeared on the records in the General Land Office as an entry in regular form, and operated as a waiver to all but a portion of the tract which was covered by the said payment. As before stated, that payment was intended to be a deposit, on what would, in proper time, become an entry when the whole tract was proved up and paid for. Sarah Nix paid $50, and made an affidavit that she lived upon the land and had made an improvement, in compliance with the requirements of the district officers. This oath she made before a justice of the peace near her home, and not before the register, as the record shows in the General Land Office, and it certainly was not her intention to waive any right to any portion of her claim, but she, on the contrary, was struggling to make arrangements to secure her home when the proper time should arrive for final payment, nor was anything further ever required of her, though the records show that a good deal more has been done, which need not be wondered at, when we examine the correspondence of the Commissioner with that local officer. (See letters of the Commissioner dated October 6, 1854, and October 10, 1854, and February 5, 1855.) In the last-named letter the proof was ordered to be taken over again by Mr. Wilson, the Commissioner. Notwithstanding these facts, the present Commissioner, in his decision of the 25th of March, 1878, says: "This quarter section is within the six-mile limit of the grant for the Cairo and Fulton, now the Saint Louis, Iron Mountain and Southern, Railway Company, the right of which attached January 17, 1855, and was included in the withdrawal ordered for the benefit of said road by letter of May 19, 1853, from this office." From this it appears that the local office at Washington, Ark., disobeyed instructions from the General Land Office when they received Sarah Nix's money and attempted to make a sale of any portion of the tract.

Your memorialist believed when he made the proof and payment at Camden, Ark., on January 22, 1878, under the proclamation of the President restoring the land to market, that no other entry had been made according to law, and that any other pretending to be an entry is the result of ignorance and an effort of the local officers at Washington, Ark., to remedy an official blunder made by them, so as to relieve themselves, by making it appear that the $50 was paid as final proof on forty acres of the tract, instead of having been received as a partial payment on the entire tract.

Your memorialist helped to clear and cultivate the above-described land prior to the passage of the act of February 9, 1853, making the land grant for the Cairo and Fulton Railroad, and, as can be proven, these improvements cover portions of each legal subdivision of the tract. We submit that, in view of the second section of the act making the grant, it was not intended that the grant should apply to lands like this, where settlement rights had attached. And, in this connection, attention is called to the act of Congress approved March 27, 1854. (U. S. Stats., vol. 10, p. 269.) The present Commissioner, by his decision of the 25th of March, 1878, rejecting the proof and payment made by your memorialist on the 22d day of January, 1878, at Camden, Ark., says that on the 13th July, 1857, three-fourths of the tract upon which Sarah Nix settled and made cultivation was approved to the State for the benefit of a railroad. We submit that by section 2449 of the Revised Statutes this approval is of no effect, and ought in no manner to prejudice the interests of a *bona fide* settler.

Your memorialist most respectfully avers that, from the inception of the pre-emption claim referred to until the present time, there has been but one intent, and that was to secure, by a compliance with the law, a home; that the spirit of the law has in every respect been complied with, and that ample improvements have been made to satisfy the requirements of the law; that these improvements extend over every subdivision of the land, and that he has continued in possession and paid taxes on the entire tract. Whatever irregularities may appear do not affect his good faith as a pre-emptor, but have arisen through a misapprehension of the rule of the department or through erroneous advice from the local officers, and, so far as the application of the $50 is concerned, through their error in making it appear as a final entry or a portion of the tract.

In view of these facts, your memorialist prays that your honorable body give such relief in the premises as may enable him to make full entry of the entire tract of land originally filed upon by his mother, and that the honorable Secretary of the Interior be requested to stay further proceedings in the case pending the consideration of this petition. And, to the end that justice may be done, your memorialist will ever pray.

JOHN B. NIX.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 711.

IN THE SENATE OF THE UNITED STATES.

JUNE 9, 1880.—Ordered to be printed.

Mr. HEREFORD, from the Committee on Claims, submitted the following

REPORT:

[To accompany bill S. 1735.]

The Committee on Claims, to whom was referred the bill (S. 1735) for the relief of Benjamin Babb and others, having had the same under consideration, would respectfully report:

That all said cases present the same questions for consideration and pray for the same relief; and your committee therefore present one report as applicable to all said cases.

All said claimants allege that they have paid certain taxes on rope and bagging, which they allege were illegally imposed and collected, and which they ask to have refunded.

The facts are as follows: Prior to the 21st of December, 1865, a tax was collected on cotton and on the rope and bagging inclosing the same. On the last-named day, an order, issued by Commissioner Rollins, then Commissioner of Internal Revenue, went into effect at Memphis, by which it was provided that thereafter, in assessing cotton, the assessor should make a reasonable allowance for bagging and rope. It appears from a letter of D. D. Pratt, Commissioner, addressed to a former committee of this House, that this order went into effect in Memphis more than one month later than at some other places, the first order having been made as early as November 11, 1865. After this order went into effect in Memphis, some of these petitioners made application to the Commissioner of Internal Revenue to have refunded to them the tax paid upon rope and bagging, and, upon said application, all such taxes paid after November 11, 1865, were refunded, and all paid prior to that date were not refunded.

By act of July 13, 1866, it was provided that the weight of cotton should be ascertained by deducting four per centum for tare from the gross weight of each bale or package. Before the passage of this act there was no law authorizing a specific deduction for tare, but the amount to be deducted was discretionary with the Commissioner. Commissioner Douglass decided to allow 4 per cent. for tare in all cases, not decided by a previous Commissioner, where the tax had been paid on the gross weight; and your committee are informed that this has since been the practice in the Internal Revenue Department. The claim of these petitioners cannot be now considered by the Commissioner of Internal Revenue, because they have once been considered and rejected by a Commissioner of Internal Revenue, and the law does not permit one Commissioner to overrule the decision of a previous one. The petitioners now ask that the Commissioner of Internal Revenue may be authorized

and directed to re-examine and settle their claims, without prejudice to said claims by reason of the action of any previous Commissioner of Internal Revenue. Your committee are of opinion that they should be allowed the relief prayed for, and therefore recommend the passage of the accompanying bill.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 712.

IN THE SENATE OF THE UNITED STATES.

JUNE 10, 1880.—Ordered to be printed.

Mr. MCDONALD, from the Committee on the Judiciary, submitted the following

REPORT:

[To accompany bill S. 1682.]

The Committee on the Judiciary, to whom was referred the bill (S. 1682) entitled "An act directing the Court of Claims to investigate the claims of Benjamin Weil and La Abra Silver Mining Company," make the following report:

The fifth section of the act approved June 18, 1878, entitled "An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th of July, 1868," is as follows:

SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing; therefore, be it enacted that the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct; and, in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards, respectively, shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed, as may be determined on such retrial: *Provided*, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims, or either of them.

In adding this section to the act providing for the distribution of the awards, it was not the purpose of Congress to pass upon the character of the claims referred to in it, as the proviso attached to said section expressly declares. By authorizing the installments payable to these claimants under the treaty to be withheld in the discretion of the President, if, upon investigation of the charges of fraud presented by the Mexican Government against such claims, "he should be of opinion that the honor of the United States, the principles of public law or considerations of justice and equity, required that the awards in these cases, or either of them, should be opened and the cases retried," it was intended, so far as legislative authority might be requisite, to release the executive department from the absolute obligations of the award, and to authorize such examination by the executive department into the complaints of the Mexican Government as would enable the Presi-

dent to pass upon the questions raised by them; and if "the honor of the United States, the principles of public law, or considerations of justice and equity," required a retrial of these cases, or either of them, then and in that case to initiate with the Mexican Government such convention or stipulations as would provide for the retrial under such regulations as would secure the ends of justice and vindicate the honor of the United States.

It appears from the message of the President of the United States, of April 15, 1880, transmitting a report of the Secratary of State, to whom the matter embraced in the section above quoted was referred, that no definite conclusions had been arrived at by the executive department upon the questions involved in said section. That report is as follows:

DEPARTMENT OF STATE,
Washington, April 13, 1880.

To the PRESIDENT:

The Secretary of State, to whom was referred the following resolution of the Senate of the 27th of February, 1880—

"*Resolved*, That the President be requested, if in his opinion not inconsistent with the public service, to inform the Senate what action, if any, has been taken by him under authority of section 5 of the act approved June 18, 1878, entitled 'An act to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868,' and of the grounds of such action, and what further action, if any, the honor of the United States may, in his opinion, require to be taken in the premises"—

Has the honor to report.

The act passed by Congress "to provide for the distribution of the awards made under the convention between the United States of America and the Republic of Mexico, concluded on the 4th day of July, 1868," contained the following section:

"SEC. 5. And whereas the Government of Mexico has called the attention of the Government of the United States to the claims hereinafter named with a view to a rehearing; therefore, be it enacted that the President of the United States be, and he is hereby, requested to investigate any charges of fraud presented by the Mexican Government as to the cases hereinafter named, and if he shall be of the opinion that the honor of the United States, the principles of public law, or considerations of justice and equity require that the awards in the cases of Benjamin Weil and La Abra Silver Mining Company, or either of them, should be opened and the cases retried, it shall be lawful for him to withhold payment of said awards, or either of them, until such case or cases shall be retried and decided in such manner as the Governments of the United States and Mexico may agree, or until Congress shall otherwise direct; and, in case of such retrial and decision, any moneys paid or to be paid by the Republic of Mexico in respect of said awards, respectively, shall be held to abide the event, and shall be disposed of accordingly; and the said present awards shall be set aside, modified, or affirmed, as may be determined on such retrial: *Provided*, That nothing herein shall be construed as an expression of any opinion of Congress in respect to the character of said claims, or either of them."

It having been referred by you to the Department of State to institute the investigation required by this action, I gave the subject the most careful examination. I reviewed the proceedings of the commission, including the testimony originally submitted, the arguments made by the counsel both for the Republic of Mexico and the United States, the opinions of the members of the commission, and the final decision of the umpire. I considered the representations of the Mexican Government, as set forth in its diplomatic communications to this department, and subjected to patient scrutiny the supplemental evidence by which those representations had been supported. In addition to this, I heard counsel both for the Mexican Government and the parties interested in these awards.

The most impressive complaint of the Mexican Government in the La Abra case bore upon the award of damages as fraudulently exaggerated.

In the Weil case, the Government of Mexico asserts that no such case had ever had any real existence; that there never was any such property as is alleged to have been seized; that the parties claimant never owned, directly or as agents, any such property; that the seizure of the property is in all its details a pure fiction, and that the evidence by which the whole claim is established is spurious and corrupt.

Upon these complaints, and the examination given to them as above set forth, on the 8th of August last I reported to you my conclusions as to the proper disposition of the matter by the executive government, as follows:

"First. I am of opinion that, as between the United States and Mexico, the latter

government has no right to complain of the conduct of these claims before the tribunal of commissioners and umpire provided by the convention, or of the judgments given thereupon, so far as the integrity of the tribunal is concerned, the regularity of the proceedings, the full opportunity, in time and after notice, to meet the case of the respective claimants, and the free and deliberate choice exercised by Mexico as to the methods, the measure, and the means of the defense against the same.

"I conclude, therefore, that neither the principles of public law nor considerations of justice or equity require or permit, as between the United States and Mexico, that the awards in these cases should be opened and the cases retried before a new international tribunal, or under any new convention or negotiation respecting the same between the United States and Mexico.

"Second. I am, however, of opinion that the matters brought to the attention of this government on the part of Mexico do bring into grave doubt the substantial integrity of the claim of Benjamin Weil and the sincerity of the evidence as to the measure of damages insisted upon and accorded in the case of the La Abra Silver Mining Company, and that the honor of the United States does require that these two cases should be further investigated by the United States, to ascertain whether this government has been made the means of enforcing against a friendly power claims of our citizens based upon or exaggerated by fraud.

"If such further investigation should remove the doubts which have been fairly raised upon the representations of Mexico, the honor of the United States will have been completely maintained. If, on the other hand, the claimants shall fail in removing these doubts, or they should be replaced by certain condemnation, the honor of the United States will be vindicated by such measures as may then be dictated.

"Third. The executive government is not furnished with the means of instituting and pursuing methods of investigation which can coerce the production of evidence or compel the examination of parties and witnesses. The authority for such an investigation must proceed from Congress. I would advise, therefore, that the proofs and the conclusions you shall come to thereon, if adverse to the immediate payment on these awards of the installments received from Mexico, be laid before Congress for the exercise of their plenary authority in the matter.

"Fourth. It may be that, as the main imputation in the case of the La Abra Silver Mining Company is of fraudulent exaggeration of the claim in its measure of damages, it may consist with a proper reservation of further investigation in this case to make the distribution of the installments in hand.

"I have this subordinate consideration still under examination, and, should you entertain this distinction, will submit my further conclusions on this point."

These conclusions having been approved by you, and the point reserved for further consideration in the La Abra case having again been referred to me, on the 3d of September last I reported to you my conclusions upon the same, as follows:

"The parties interested in the case of the La Abra Mining Company having desired from you a further consideration of the point reserved in my former statement to you of my views in that case, and the matter having been referred to me to that end, I respectfully submit my conclusion on that point.

"1. Upon a renewed examination of the matter as laid before me by the Mexican Government, I am confirmed in the opinion that the proper limits of the further consideration which the honor of the government should prompt it to give to this award should confine the investigation to the question of a fraudulent exaggeration of the claim by the parties before the commission to which, under the provision of the convention, it was presented by this government.

"2. Upon a careful estimate as to any probable or just reduction of the claim from further investigation, should Congress institute it, and under a sense of the obligation of the executive government to avoid any present deprivation of right which does not seem necessary to ultimate results, I am of opinion that its distributive share of the installments thus far received from Mexico may properly be paid to the claimant, reserving the question as to later installments.

"If this conclusion should receive your approval, the payment can be made upon the verification at the Department of State of the rightful parties to receive it."

This latter conclusion having also received your approval, and the results stated in both these reports having been communicated both to the Mexican Government and the claimants, the payment was made upon the La Abra award of the distributive share of the installments then in hand, and payment was withheld of the distributive share of such installments upon the Weil award.

The parties interested in these awards have from time to time preferred requests for a renewed consideration by the Executive of the questions arising for his determination under the act of Congress of June 18, 1878, and have particularly insisted that, in deciding against opening these awards diplomatically and re-examining them by a new international commission, the whole discretion vested in the Executive as a part of the treaty-making power and under the special provision of the act of Congress was exhausted, and that the payments should be no longer suspended in respect to these

cases, or either of them. A solicitous attention to the rights of the claimants and the duty of the Executive in the premises has confirmed me in the opinion that Congress should determine whether the "honor of the United States" requires any further investigation in these cases, or either of them, and provide the efficient means of such further investigation, if thought necessary.

In the conclusions to which I came, and which I had the honor to submit to your examination, I was principally governed by the following considerations:

1. In the complaints of the Mexican Government there is not the slightest impeachment, express or implied, of the character or composition of the commission, of its methods of procedure, or of the entire regularity and integrity of its actual proceedings. It was composed of able and eminent men, enjoying the full confidence of the governments by whom they were respectively appointed, and the umpire selected, Sir Edward Thornton, was pre-eminently fitted for his laborious and responsible duties by his long diplomatic experience, his recognized ability, his high character, and his special knowledge of the two countries whose citizens and governments were interested in the arbitration.

2. Before this commission the Government of Mexico had full opportunity and ample time to present its defense, both in evidence and argument, against any claim that was submitted. In the La Abra case a large amount of testimony was taken on both sides, the comparison and valuation of which was within the power of the commission, and the opinion of the umpire shows that it was carefully considered.

In the Weil case, it is true that the Mexican Government submitted no testimony, and that the case was decided upon the evidence offered by the claimants. But the Mexican commissioner explicitly declined the offer of further time to produce such testimony, although he professed that his government had such in possession, saying upon the trial:

"There is in the present case the still more serious consideration that there is sufficient evidence upon which to judge of the claim, and that by opening the door to new testimony it would only serve to show the claimant wherein the edifice which he had erected upon his imagination was weak, and by enlightening him how to crown his intrigue by new efforts, which, although they would not change the aspect of the case, might lead him to confirm it."

3. The treaty under the provisions of which the commission was appointed was explicit in recognition of the finality of its action. By Article II of that convention, the two governments bound themselves to consider the decisions of the commissioners and of the umpire as absolutely final and conclusive, and to give full effect to such decisions without any objection, evasion, or delay whatsoever; and, by the fifth article, the high contracting parties agree to consider the result of the proceedings of the commission as a full, perfect, and final settlement of every claim upon either government arising from the transactions prior to the exchange of ratifications thereof.

4. Aside from this special provision of the finality of the decision of the commission, in the very act of its creation, it would seem impossible to review and retry any individual case without opening the door to other reclamations of the same sort. In addition to these cases, with the result of which the Mexican Government is dissatisfied, there are many others which failed of preparation in time, which were rejected on principles not always acquiesced in by those interested, and some in which the claimants deemed the awards very insufficient. The adherence of the Government of the United States to the strict letter of its convention, that the decision of the commissioners should be absolutely final in every case and a complete bar to any claim arising from transactions prior to its ratification, has hitherto prevented any effort on the part of this government to renew such discussion in favor of its citizens. But if it be once admitted that for any reason short of an impeachment of the integrity of the commission its proceedings can be reopened for review and its decisions for reversal, there will not be wanting numerous urgent appeals to the justice and sympathy of the government to extend this measure of relief to many who think that their claims have been erroneously estimated or rejected.

Lastly. The principle of the settlement of international differences by arbitral commissions is of such deep and wide-reaching interest to civilization, and the value of such arbitration depends so essentially upon the certainty and finality of its decision, that no government should lightly weaken its influence or diminish its consideration by making its action the subject of renewed discussion. It is only in extreme cases, where the commission is itself charged with corruption or where it has clearly exceeded its powers in deciding matters not submitted to its judgment, that prompt and cheerful acquiescence should not be rendered to its action. No such charge is here suggested. It may be true that in this or that instance more adequate justice might have been rendered. The methods and processes of such tribunals, which in time it may be confidently hoped will be improved and perfected, are not yet so complete as to eliminate much opportunity of error. But the results of such an arbitration, covering, as this did, large, complicated, and numerous transactions, deciding not upon oral testimony winnowed by cross-examination, but upon the contradiction of vague affidavits,

nnot be fairly judged by the apparent errors of this or that individual case. There probably, no just ground for saying that the aggregate of the awards against Mexo more than equaled the just claims of our citizens, and much complaint has been ade that such aggregate falls quite short of them. But the awards made by this mmission were something more than the settlement of mere private claims—it was e adjustment of long-standing national differences. And if in the result more or less as added to or taken from particular awards; still, if on the whole a fair and just ılance has been struck; if, considering all that has been given and all that has been fused, the examination has been careful and the judgment impartial, it is the inter- t and the duty of governments to maintain it.

While these considerations led to the conclusion that these cases ought not to be ade the subject of a new international commission, I was yet of opinion that "the nor of the United States" was concerned to inquire whether in these cases, submitd by this government to the commission, its confidence had been seriously abused, ıd the Government of Mexico, acting in good faith in accepting a friendly arbitration ıd been subjected to heavy pecuniary imposition by fraud and perjury in the maintenance of these claims, or either of them, before the commission. In furtherance, how-'er, of this opinion, it seemed to me apparent that the Executive discretion under the :t of Congress could extend no further than to withhold further payments on the wards until Congress should, by its plenary authority, decide whether such an investgation should be made, and should provide an adequate procedure for its conduct, ıd prescribe the consequences which should follow from its results.

Unless Congress should now make this disposition of the matter, and furnish thereby ·finite instructions to the department to reserve further payments upon these awards ll the conclusion of such investigation, and to take such further order with the same ıereafter as Congress might direct, it would appear to be the duty of the Executive to ·ceept these awards as no longer open to reconsideration, and proceed in the payment ' the same *pro rata* with all other awards under the convention.

WM. M. EVARTS.

It will be seen from this report, with respect to La Abra mining claim, ıe principal ground of complaint is exaggeration of damages, and upon ıat question it does not appear that any fault whatever attaches to the ɔmmission before whom it was examined, nor to the referee by whom was affirmed. It also appears that the Department of State so far assed upon the question of excessive damages as to determine the laimants to be entitled to the installments already paid in, and ıat the Executive had directed the amounts to which the claimants 'ere thus entitled to be paid over; and while the remaining installments ot yet received may be regarded as subject to retention to meet the uestion of a reduction of damages, it virtually determines the question ubmitted to the Executive Department by the said 5th section, so far s that claim is involved.

In regard to the Weil claim, the case presents one of greater difficulty. t appears from the report of the Secretary that this claim is charged by he Mexican Government to be a complete fabrication; that this charge ras made before the commissioners at the time it was undergoing investiation. The representative of Mexico claimed to be in possession of vidence then to establish the charge, but declined to introduce it, preerring to rest the case on the evidence introduced by the claimant, but ought afterwards to introduce such impeaching testimony before Sir dward Thornton, the referee, who declined to receive it, holding, and orrectly, that no new evidence could be introduced on the hearing efore him, and that upon the evidence submitted to the commissioners e could not do otherwise than to affirm the claim.

In the investigation that has taken place in the State Department, nder the authority of the fifth section above quoted, no suggestion apeears in the report of the Secretary "that the honor of the United tates, the principles of public law, or the considerations of justice and quity require that this case should be retried," but, on the contrary, fter stating considerations of public policy which would seem to forbid he reopening of the case, the questions of honor, principles of public

law, and considerations of justice and equity are referred to Congress to decide. This would involve an investigation by Congress of facts of an international character which, in the opinion of the committee, properly belongs to the Executive Department, and which it was the intention of the fifth section of the act of June 18, 1878, to leave with the department.

The bill under consideration proposes to withdraw these two claims from the dominion of international jurisdiction and place them before a tribunal organized and existing solely by virtue of the laws of this country, and in this way it would seem designed to avoid the opening up of other questions of complaint that are known to exist on behalf of citizens of the United States whose claims, for various causes, fail to receive favorable consideration by said commission under the treaty creating the commission.

The second article of that treaty bound the two governments absolutely and conclusively by the final awards of the commission and umpire in all cases coming within its provisions; and it would seem right that if it is to be set aside as to any of the claims it ought to be by a new convention, in which provision should be made for doing justice to all claimants.

The reasoning of the Secretary of State against the propriety of such a course as this would seem to be unsatisfactory; but, in the aspect these cases are presented to us, we feel constrained to report back said bill adversely, and recommend its indefinite postponement.

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46TH CONGRESS, 2d Session. SENATE. REPORT No. 713.

IN THE SENATE OF THE UNITED STATES.

JUNE 11, 1880.—Ordered to be printed.

Mr. ALLISON, from the Committee on Finance, submitted the following

REPORT:

[To accompany bill S. 759.]

The Finance Committee have had under consideration the bill (S. 759) for the relief of G. W. Thompson and others, and report the same back with an amendment in the nature of a substitute, and recommend its passage.

The claims of the persons named in the bill arise chiefly from the fact that the Supreme Court, in the case of Stoll *vs.* Pepper, 7 Otto, 438, decided against the rulings of the department with reference to the methods of assessing taxes upon distilled spirits; and all the cases, except Atherton & Co., of Kentucky, Miller & Brother, and Chouteau, come within the principles of the decision above referred to.

The latter cases are based upon a claim for refunding on the ground of overassessment, which ought not to be paid because of unavoidable accident at the distilleries at the time the assessment was made. The act of March, 1, 1879, provided for the relief of all parties similarly situated, where the assessments were made after January 1, 1874. Section 6th of that act is as follows:

SEC. 6. That whenever, under the provisions of section thirty-three hundred and nine of the Revised Statutes, an assessment shall have been made against a distiller for a deficiency in not producing eighty per centum of the producing capacity of his distillery as established by law, or for the tax upon the spirits that should have been produced from the grain, or fruit, or molasses found to have been used in excess of the capacity of his distillery for any month, as estimated according to law, such excessive use of grain, or fruit, or molasses having arisen from a failure on the part of the distiller to maintain the capacity required by law to enable him to use such grain, or fruit, or molasses without incurring liability to such assessment, and it shall be made to appear to the satisfaction of the Commissioner of Internal Revenue that said deficiency, or that said failure, whereby such excessive use of grain, molasses, or fruit arose was not occasioned by any want of diligence or by any fraudulent purpose on the part of the distiller, but from misunderstanding as to the requirements of the law and regulations in that respect or by reason of unavoidable accidents, then, and in such case, the Commissioner of Internal Revenue, subject to regulations prescribed by the Secretary of the Treasury, is authorized, on appeal made to him, to remit or refund such tax, or such part thereof as shall appear to him to be equitable and just in the premises: *Provided*, That no tax shall be remitted or refunded under the provisions of this section upon any assessment made prior to January first, eighteen hundred and seventy-four: *Provided further*, That no assessment shall be charged against any distiller of fruit for any failure to maintain the required capacity, unless the Commissioner shall, within six months after his receipt of each monthly report, notify such distiller of such failure so to maintain the required capacity.

That section thirty-two hundred and twenty-one be amended by adding the following: "And when any distilled spirits are hereafter destroyed by accidental fire or other casualty, without any fraud, collusion, or negligence of the owner thereof, after the time when the same should have been drawn off by the gauger and placed in the

distillery warehouse provided by law, no tax shall be collected on such spirits so destroyed, or, if collected, it shall be refunded upon the production of satisfactory proof that the spirits were destroyed as herein specified.

That act provided relief for nearly all the cases. The claims included in this bill are therefore exceptional, and arise prior to the limitations fixed by the section above quoted.

Your committee think these parties are entitled to the relief they ask. The amounts, of course, are to be fixed and established by the Commissioner of Internal Revenue.

If the whole amount claimed shall be allowed by the Commissioner, the aggregate sum will be $8,654.40.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 714.

IN THE SENATE OF THE UNITED STATES.

JUNE 12, 1880.—Ordered to be printed.

Mr. HOAR, from the Committee on Claims, submitted the following

REPORT:

[To accompany bill S. 1181.]

The Committee on Claims, to whom was referred the bill (S. 1181) for the relief of Dodd, Brown & Co., have carefully considered the same, and submit the following report:

The claims provided for in this bill are for damages for injuries suffered from various Indian tribes. All the sums are audited and payment recommended by the Commissioner of Indian Affairs.

The committee have had no doubt about the matter except what arose from the fact that the claims have been assigned contrary to the letter of section 3477 of the Revised Statutes of the United States, which declares all transfers or assignments of claims against the United States void before the issuance of a warrant for their payment.

The committee at first intended to advise the rejection of the bill, as they think the statute which prohibits dealing in claims against the government should be strictly enforced; but it has been made to appear to their satisfaction that the claimants were creditors of the persons who suffered the loss, by reason of having furnished the goods which were lost, and took these claims in payment of their debts. These private assignments saved the necessity and cost of an assignment in bankruptcy.

We think they are not within the reason of the prohibition of the statute, and we think Congress may rightfully and justly waive the enforcement of its letter.

The committee therefore recommend the passage of the bill.

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46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 715.

IN THE SENATE OF THE UNITED STATES.

JUNE 12, 1880.—Ordered to be printed.

Mr. CALL, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 3980.]

The Committee on Pensions, to whom was referred the bill (H. R. 3980) granting a pension to Mrs. Della Benner, have examined the same, and report:

That Hiram H. Benner enlisted on the 24th day of September, 1861, when he was but eighteen years of age, as a private in Company E, Thirty-fourth Regiment Illinois Volunteers, and served with credit as such until February 22, 1865, when he was honorably mustered out of service, to date from February 8, 1865. He was commissioned and mustered in as captain of Company F, Eighteenth Illinois Volunteers, March 25, 1865, to serve one year, and served with his company until honorably mustered out therewith, December 16, 1865.

Because of his soldierly conduct and efficiency while in the volunteer service, he was recommended for a commission in the Regular Army, and on June 20, 1867, he was appointed a second lieutenant in the Eighteenth Infantry, and was promoted to a first lieutenancy of that regiment May 1, 1875. He continued to serve with his regiment from September, 1867, when he first joined it, until September 29, 1878, when he started from his station at Atlanta, Ga., to take command of the relief-boat at Saint Louis, Mo., which the National Relief Association had supplied with provisions and medical stores, and as soon as they could find a suitable person to command it, intended to dispatch to the relief of all the cities and towns below, which were at the time suffering from the terrible epidemic of the yellow fever. Lieutenant Benner volunteered for this service, which, as has been well said, was "fraught with a hundred-fold greater danger than ever confronted a soldier upon the bloodiest field of battle," and lost his life in its discharge.

Your committee feel that by the passage of the bill referred to them, granting to his widow a pension, the Congress of the United States will make some recognition of the self-sacrifice and heroic death of one whose life from his budding manhood was given to the service of his country, and they therefore report back the bill with a recommendation that it pass.

CONGRESS, } SENATE. { REPORT
d Session. } { No. 716.

IN THE SENATE OF THE UNITED STATES.

JUNE 14, 1880.—Ordered to be printed.

ONAS, from the Committee on Railroads, submitted the following

REPORT:

[To accompany bill S. 115.]

Committee on Railroads, to whom was referred the bill (S. 115) authorng the Secretary of War to contract with the San Antonio and Mexi- Border Railway Company, respectfully submit the following report:

e bill under consideration has for its object the construction and ɔment of a military railway and telegraph line from San Antonio redo, Tex., on the east side of the Rio Grande. The distance be- n the points named is about 160 miles.

n Antonio is now the western terminus of the Galveston, Harris- and San Antonio Railway; and it is proposed by this bill to con- t the military railroad of uniform gauge with the last-named rail- and for this purpose the United States Government is asked to se its bonds at the rate of $15,000 per mile, the bonds to run thirty , and draw interest at the rate of 4 per cent. per annum. The Gov- ent at all times is to have the preference in the use of said railway elegraph line, and all money growing out of government service, the time of its completion, shall be held by the Treasury Depart- , and the company is required to pay into the Treasury two per m per annum, which sum shall be, together with said earnings, as a sinking-fund with which to redeem the bonds at maturity. bill also provides that the government shall have a first mortgage e entire road and its equipment, to secure the payment as above he redemption of the indorsed bonds at maturity.

e city of San Antonio is now, and for many years has been, the ary headquarters for the army of the Rio Grande, and all troops, ary supplies, and munitions of war for the protection of our frontier ; the Rio Grande are now taken overland by teams along the line e contemplated railway to a point near Laredo, and from this place and south to the several military posts.

e distance from Brownsville, near the mouth of the Rio Grande, to aso, is about 1,500 miles by the river, and there are now five per- nt military posts situated along this frontier, and the erection of r three other posts is contemplated between Fort Duncan and Fort man.

ere are about 4,000 troops employed at these differents posts in pro- g the frontier from the marauding bands of Mexicans who have g infested this country; and this force is greatly inadequate to roper security of life and property on that border.

e country lying between San Antonio and Laredo, for many miles in

each direction, is of comparative even surface. The soil is fertile and well adapted to agricultural pursuits, and particularly to cattle and sheep raising. The vast area between the Nueces River and the Rio Grande is sparsely populated, and there is only occasionally a sheep or cattle ranch now to be found in that vast domain; but, if properly protected from Mexican raiders and banditti, it would soon become one of the finest grazing districts in the United States.

It is estimated, upon good authority, that 30 per cent. of the cattle raised in this section are stolen by Mexican thieves and Indian marauders. The necessities for a better military protection to our frontier along the Rio Grande are so ably set forth in a report made to this House by the Committee on Military Affairs, accompanying Senate bill 53, that we deem it unnecessary to review them. We append a copy of said report hereto.

The question was asked by your committee, why these military posts cannot be supplied by means of water transportation up the Rio Grande. The answer is, as appeared in proof before us: The river is a sluggish, shallow stream, fordable at almost any point, and in no season of the year is it navigable north of Rio Grande City, a point only 150 miles from its mouth, and only to *that* point in certain seasons of the year. The bar at the mouth of the river is a perpetual impediment to boats of any considerable burden.

The supplies necessary to subsist the army on the Rio Grande are large, and the estimated cost to the government for each soldier is $1,000 per annum.

The cost of protecting this frontier is now annually between four and five millions of dollars.

The government now pays, as is shown by the Quartermaster's Department, about $93,000 annually for transportation alone from San Antonio, notwithstanding a large portion of the Army supplies are taken across the country by government teams.

Laredo, Tex., is a flourishing town on the Rio Grande, and is situated about 250 miles from the mouth. The military posts would be more readily accessible from this point than any other on the Rio Grande. We think it is the most convenient point on the boundary for the terminus of a railway, both in a military and commercial point of view.

The advantages accruing to the general government by the construction of this line of railway would, in the opinion of your committee, be many, and much in excess of any contingent liability upon the part of the government.

It would give to the government a quick and cheap transportation of all troops and Army supplies from San Antonio to the Rio Grande.

It would save to the government a large amount of money each year in the actual cost of transportation.

If this road was constructed, at least one-half of the military force could be kept at San Antonio, and, in case of trouble breaking out upon the Mexican border, this reserve could be expeditiously taken to the scene of disturbance, and become more effective than at present in their scattered condition. This alone would, as your committee believe, reduce the expense of that army more than a quarter of a million of dollars annually.

Speedy railway communication to the Rio Grande would operate as a constant menance to the Mexican raiders, and gradually put an end to their depredations. It would attract stock-growers and actual settlers in large numbers to that region of country, and under the civilizing influence of permanent homes and family associations, it would not be

many years before this vast country would become as peaceful as our Canadian border.

In support of the views herein expressed your committee beg leave to refer to the following letters appended to and made a part of this report:

George W. McCrary, Secretary of War, to the Speaker of the House of Representatives, dated May 29, 1878.

M. C. Meigs, Quartermaster-General, to Secretary of War, dated May 22, 1878.

W. T. Sherman, General of the Army, to Hon. C. M. Shelley, dated January 21, 1880.

Stewart Van Vliet, acting Quartermaster-General, to Hon. C. M. Shelley, dated January 27, 1880.

Your committee are satisfied that the sinking fund, paid in as the bill provides, would pay off the bonds at their maturity, and that the government would suffer no loss either in interest or principal; and that the military demands for this road are such that it is both economic and wise for the government to grant the proposed aid in the construction of this railway.

In this report your committee have not considered the commercial importance of this enterprise, except incidentally. We have no doubt, however, that the construction of this line of railway to the Mexican border would soon be followed by a road from Laredo across the country to the city of Mexico, and thus open up to our markets the products of 8,000,000 of people in our sister republic. Between 70 and 80 per cent. of the trade of Mexico is now done with England, France, and Germany. The advantages to this country in a commercial point of view, which might naturally be expected by means of proper railway connections with Mexico, can hardly be estimated. It is, however, safe to say that, instead of the country getting 30 per cent. of the trade of Mexico, we would, by the opening up of these railway facilities, secure to ourselves at least 70 per cent. of such trade.

A better understanding between the people of Mexico and of the United States—a reciprocity of feeling and community of interests which would so soon spring up through the means of trade, commerce, and an interchange of products—would very soon place a quietus upon constant border warfare on the Rio Grande. Our military posts would be turned into warehouses, and instead of supporting a standing army there at a cost of $4,000,000 a year, the custom-houses would yield a good return on our imports.

For these reasons, and many more which might be urged, your committee recommend the passage of the bill.

[Report No. 88, Forty-sixth Congress, second session.]

Mr. Upson, from the Committee on Military Affairs, submitted the following report (to accompany bill S. 53):

The Committee on Military Affairs, to which was referred the bill (H. R. 2186) making appropriation for the erection of suitable posts for the protection of the Rio Grande frontier, and Senate bill 53 making appropriation for the purpose of acquiring sites and erecting thereon such military posts on or near the Rio Grande frontier as may be deemed necessary by the Secretary of War for the adequate protection thereof, respectfully submit the following report:

The bills under consideration are of great national importance, having for their object the maintenance of peace and friendly relations and the promotion of commerce between the Republic of Mexico and of the United States, and the giving of due and

necessary protection to our constantly endangered and long-suffering citizen frontier people by the spoliations, murders, massacres, and inhuman atrocities of harbored and treaty-sheltering banditti, and of the wild and the more dangerous reservation Indian savages.

To determine as to the necessity or policy of making the appropriation contemplated by the bills under consideration, it is important to understand the past, present, and probable future condition of the Rio Grande or Mexican and Indian frontiers, where military posts are proposed to be constructed.

While your committee heartily join and concur in the congratulations of the President in his late annual message to Congress as to the improved and encouraging condition of our affairs upon the Mexican border, wherein he says, "It is a gratification to be able to announce that, through the judicious and energetic action of the military commanders of the two nations on each side of the Rio Grande, under the instructions of their respective governments, raids and depredations have greatly decreased," yet unless the same "judicious and energetic action" is continued, your committee are confident that the troubles with which that border has heretofore been afflicted will be renewed, and may involve the two nations in difficulties which may be destructive of the peaceful relations now existing, and so desirable to be promoted between them.

Although, for a short period, the administration of President Diaz has succeeded, in a commendable degree, to enforce its power and authority, and preserve comparative peace throughout the Mexican Republic, the same disturbing and revolutionary elements, though temporarily held in abeyance, exist there to-day, to a dangerous extent, which have existed since her independence as a nation. As her next presidential election draws near, her clans of revolt are organizing, her leaders of banditti are mustering their gangs for plunder and murder. The unmistakable mutterings of an approaching general revolution are heard along the Rio Grande. Our watchful and faithful sentinel upon that border warns us that the revolution has already begun. General Ord, in his report of November 28, 1879, to the adjutant-general Military Division of the Missouri, says:

"The revolution in the frontier States of Mexico has commenced in the State of Chihuahua, and, doubtless, will extend to other States; and raids into the United States, as well as summary demands for troops from this side, to protect American interests on the other, are inevitable. To meet that demand, restrain our reservation Indians, and be prepared to execute orders in regard to raids from Mexico, which Mexican troops, during a revolution, cannot prevent, the troops now in the department are wholly inadequate. I further invite attention to the fact that Victoria's arge band has left the Department of the Missouri, and is now roaming in Chihuahua and Coahuila, States immediately on the border of this department. Those Indians doubtless will make their forays, within this command, whenever it suits them to do so."

We are again warned by the very recent news of the breaking out of a revolution in Durango, Mexico.

The fitting language of the President of the United States used towards Mexico in his annual message in 1858 and in 1859, might, ever since then, and now, with slight modification, be appropriately applied to that unfortunate country:

"Mexico has been in a state of constant revolution almost ever since it achieved its independence. One military leader after another has usurped the government in rapid succession; and the various constitutions, from time to time adopted, have been set at naught almost as soon as proclaimed. The successive governments have afforded no adequate protection either to Mexican citizens or foreign residents against lawless violence. * * * The truth is that this fine country, blessed with a productive soil and a benign climate, has been reduced by civil dissensions to a condition of almost hopeless anarchy and imbecility. She is entirely destitute of the power to maintain peace upon her own borders or to prevent incursions of banditti into our territory."

As it has been in the past, we have good reason to believe that the change of administration in Mexico will continue, at least in the near future, to be brought about by revolution, and the successful revolutionary leader declared President of the republic.

Mr. Baranda, in discussing a report upon the suspension of certain constitutional guarantees in the Mexican Deputies, in 1868, well said:

"Since the independence our unfortunate country has traced a tortuous and bloody road. What is the cause of the present state of our agriculture, our commerce, and our industry? Revolution. What is the reason our country is so unfortunate when it should be so happy? Revolution. What is the pretext of which our enemies at home have availed to beg foreign intervention? Revolution. What is the apparent motive upon which foreign nations have pretended to intervene in our political questions and to subjugate us? Revolution. Always revolution!"

Whenever those revolutions again occur, as we feel justified in predicting they will, we may look for, and wisdom dictates that we should provide against, renewed troubles upon our Mexican border. Notwithstanding an earnest and honest desire of the principal Mexican authorities to prevent and punish lawlessness and crime, and

preserve peace upon their Rio Grande frontier, from the lawless and dangerous character of a large majority of their population residing upon and frequenting that border, and from their internal dissensions and consequent weakness, they have been and will continue to be unable to accomplish that object, without the presence and active co-operation of an effective military force on the part of the United States, permanently stationed and properly quartered upon our side of that border.

The character of the population on the Mexican side of the Rio Grande does not seem to have materially changed since the same was described by General Ord, commanding the Department of Texas, in his examination before the Committee on Foreign Affairs, in 1876, when he said:

"The number of Mexicans who have been driven, by revolution and by their own lawless acts, from Central and Southern Mexico up to the borders of the Rio Grande, probably to escape the result of their offenses, has filled that country with lawless and desperate men. Even the rulers make little or no effort to prevent their committing offenses against the United States, as it would probably destroy their popularity if they did, and would make them odious to the majority of the people. For the same reason—the facility for crossing the river, and for escape to the United States—the Mexican troops, who are generally enlisted just as sailors used to be in England, by a sort of press-gang system, take advantage of the opportunity afforded them when brought north to the Rio Grande border, and desert to the United States. That prevents the central government from maintaining a force on the lower Rio Grande, to control the desperate and lawless people * * * The local authorities on the Mexican side, being under the influence of this lawless population, which I have described, and being sometimes their leaders, are averse to restoring any property, and I believe they have never yet shown any disposition to do so, no matter how strong the proof of the guilt of the party, or the evidence that the property is within their reach. Under these circumstances, and in view of the powerlessness or inability of the Mexican Government to enforce its own laws, or even to protect its own property we cannot expect them to protect ours, and I consider it not only justifiable, but the duty of the United States authorities to enforce the security of our own border, and to protect the people from invasion. * * * I will also add that it is a matter of great importance on that frontier that troops of the best sort should be stationed there."

Again, in December, 1877, in his examination before the same committee, he says:

"My opinion is, that the bad element of the masses, and not the intelligent element, control Mexican politics, and that the bad element is ready for anything in the shape of war or raiding, or anything that would lead to plunder. * * * The population of the frontier towns is very lawless. The people are more like Arabs in their habits than any other people that I have read of."

Lieutenant-General Sheridan, in his report of October 25, 1878, to the Adjutant-General of the Army, says:

"On the Rio Grande border, troubles, until quite lately, have continued about the same as they have been for years past, and are incident to the character of the population on that border. The Rio Grande is about 1,600 miles in length from El Paso to its mouth, and fordable at almost any place; and Mexicans and Indians committing depredations in Texas have every facility for escaping to the Mexican side."

Col. Edward Hatch, in his report of September 6, 1879, says:

"Probability of our government obtaining a criminal who has fled to any of the frontier Mexican States is slight, should he be of Mexican descent. Not that the Mexican officials are not inclined to do so; it is beyond their control to produce him when the people or his relatives are inclined to shelter or protect him. * * * If necessary, a volume can be obtained from Texas, New Mexico, and Arizona, from settlers of that State and Territories, of similar statements made by the Mexicans, of raids, murders, and robberies upon American soil The misfortune is that the Indians and robbers are merely common enemies, who take advantage of treaty relations of the two countries, a sparsely populated frontier on the Mexican side, inadequately protected. Were the United States troops allowed to follow the Indians when in pursuit, or was the Mexican Government strong enough to prevent the occupancy of their mountain regions by Indians, these bands of Indians would be exterminated."

General Ord, in his report of October 1, 1879, says:

"By reason of revolutions the Mexican populations along the river is of mongrel character: deserters from the contending forces; Mexican soldiery sent to the border and there disbanded; remnants of bands of wild, raiding, or refugee Indians, who formerly found safety in the deserts and unexplored mountains of Mexico or Texas, and who have gradually learned to trade and mix with the people of its border towns; and smugglers; all go to swell the lawless element."

Again, in his report of December 1, 1879, before referred to, General Ord says:

"Relative to additional troops, revolutions are likely to occur at any time, in all the Mexican States bordering upon Texas. One has just occurred in Chihuahua. These revolutions turn loose bands of outlaws to plunder the defenseless settlers of either country. Savages whose homes are in the wilds of Mexico, or who may escape from

the United States and take refuge there, are continually driving off stock and murdering the people of the Rio Grande Valley, and the immense and thinly-settled country adjacent thereto."

There are but six permanent posts situated directly upon the Rio Grande from Brownsville to El Paso, a distance, following the course of the river, of about 1,500 miles, viz:

	Miles.
Fort Brown, distant by land travel from Ringgold	117
Ringgold, distant by land travel from Fort McIntosh	120
Fort McIntosh, distant by land travel from Fort Duncan	115
Fort Duncan, distant by way of intermediate posts from Fort Quitman	529
And Fort Bliss, distant by land travel from Fort Quitman	84

Col. Edward Hatch, in his report of September 6, 1879, states:

"Referring to General Ord's report, it will be also seen that no troops of the Department of Texas are stationed directly on the Rio Grande River from a station not very distant from Fort Clark, though scouts are extended as far as Paso del Norte, leaving nearly 500 miles of river unguarded."

Three (3) posts are recommended to be built by General Ord between Fort Duncan and Fort Quitman. In his report dated December 1, 1879, made under the resolution of the House adopted June 25, 1879, he says:

"The following appropriations, needed for the construction of posts, &c., I view as necessary to give security and efficient protection to the lives and property of American citizens on the Texas frontier, * * the cost of building not to exceed $200,000."

The particular location of the posts in the bill recommended is properly to be left to the direction of the Secretary of War.

The necessity and importance of the construction of the posts in question have been repeatedly called to the attention of Congress. The President in his annual message of December 3, 1877, says:

"While I do not anticipate an interruption of friendly relations with Mexico, yet I cannot but look with solicitude upon a continuance of border disorders as exposing the two countries to initiations of popular feeling and mischances of action which are naturally unfavorable to complete amity. * * * Disturbances along the Rio Grande, in Texas, to which I have already referred, have rendered necessary the constant employment of a military force in that vicinity. * * * It is believed that this policy (referring to our troops crossing the border) has had the effect to check somewhat these depredations, and that, with a considerable increase of our force upon that frontier, and the establishment of several additional military posts along the Rio Grande, so as more effectually to guard that extensive border, peace may be preserved and the lives and property of our citizens in Texas fully protected."

The Secretary of War, in a letter addressed to the chairman of the Senate Committee on Military Affairs, dated December 1, 1877, says:

"In my opinion the preservation of peace and order along the boundary between this country and Mexico is a matter of sufficient importance to justify a considerable expenditure of money. Not only is it important to protect the people of the great and rapidly growing State of Texas from depredation, but it is also vastly important that every cause of difficulty between this country and Mexico should be removed, to the end that friendly relations may continue."

The Secretary of War, in a letter to a former chairman of this committee, Hon. H. B. Banning, stated:

"WAR DEPARTMENT,
"*Washington City, February* 19, 1879.

"SIR: In reply to your favor of yesterday I have the honor to inclose a report of the General of the Army upon the subject of the establishment of additional military posts in the vicinity of the Rio Grande border. I am of opinion that at least four additional military posts along the line of the Rio Grande should be constructed, and recommend the appropriation of $200,000 for that purpose. General Ord estimates that at least that sum will be required, and I concur with him in that opinion."

General Ord, in his report of October 1, 1879, says:

"I have eleven additional companies to quarter, and no fit place for that purpose. I need not say that it is very disheartening to the officers to be compelled, through the cold winters and hot summers of Western Texas, to keep their wives and children in tents, shanties, or brush huts, or to have them packed in attics. The want of quarters for so many necessarily crowds all the others, and a glance at the amount of service—40,100 miles of scouts and expeditions, 18,700 miles more than last year—performed by the troops in a country like West Texas, ought to secure to them some comfort after a return from their long and dreary marches over trackless wastes. * * * I have, as earnestly as is consistent with propriety, urged the necessity of an appropriation of $200,000 for four additional posts."

General Sheridan, in his report of October 25, 1878, referring to the services of the army under his command, says:

"No other army in the world has such a difficult line to keep in order, and no army

in modern times has had such an amount of work put upon the same number of men."

Under date of March 31, 1879, General Sherman says:

"I certainly will favor any proposition to build suitable posts along the Rio Grande frontier, because it forms a national boundary, and is likely to be permanent."

A bill to appropriate the same amount and for the erection of the posts in question was reported favorably by the Senate Committee on Military Affairs December 11, 1877, and passed the Senate without division, January 31, 1878. A like bill was favorably reported again on the 9th of December, 1879, from the same committee, and was passed without opposition December 11, 1879, after being amended by making the appropriation for the acquiring of sites and the erection thereon of military posts, &c, with a proviso as to title and taxes.

The report of General Ord of December 1, 1879, hereinbefore referred to, presents another question bearing upon the bills, considered of grave importance. He says:

"Connected with the '*peace and safety of the frontier*,' the incursions into Mexico by Indians from the United States should receive the prompt and serious attention of the government. General Trevino, commanding division of the north, army of Mexico, by letter of June 11, 1879, invited my attention to the subject. * * *

"If these Indians are so detrimental to the interest of settlers in West Texas, it is not to be expected that they will have more respect for the unprotected settlements on the Mexican frontier. I venture to suggest they are not now in the same unrestrained condition in which they were when the XIth article of the treaty of Guadalupe Hidalgo was abrogated—when they had a country from which to get food. On the contrary, they have been gathered on reservations, so called, and the United States has assumed the responsibility of restraining and providing for them.

"If the government fails to provide for them, it becomes a question how far it may be responsible for the consequences of a failure which compels the Indians to depredate upon the nearest neighbors, including those in Mexico, for the necessaries of life.

"I believe a careful scrutiny as to the ration of food issued to each Indian on the Forts Stanton and Sill reservations will establish that is not enough to sustain life."

Claimants aggregating their demands by the millions, and constantly increasing, for losses of property by reason of the alleged failure of the United States to give protection to her people upon the Indian and Mexican frontiers, are day by day, session by session, and year by year, loudly and persistently knocking at the halls of Congress for payment.

Who can question the soundness or the applicability, to the well-founded claims indicated, of the principle announced by the President in his annual message of 1859 that "the life and property of every American citizen ought to be sacredly protected in every quarter of the world"; and as declared by the Secretary of State, Mr. Evarts, in his letter to Mr. Foster, of August 13, 1878, when, speaking of the inability of Mexico to prevent marauding attacks upon our people, he says:

"This inability may be pleaded as a reason for the failure to check the crimes complained of, but that only makes the stronger the duty of the United States to protect the lives and property of its citizens, for assuredly, if the Government of Mexico cannot do it that of the United States must, so far as it can.

"The first duty of a government is to protect life and property. This is a paramount obligation. For this, governments are instituted, and governments neglecting or failing to perform it become worse than useless. This duty the Government of the United States has determined to perform to the extent of its power toward its citizens on the borders. * * * Protection *in fact* to American lives and property is the sole point upon which the United States is tenacious."

The bill reported is to provide in part the means necessary to enable the government, by its strong arm, to perform the sacred duty of protecting the lives and property of its citizens upon its borders. Can the House, under a plea of carrying out a rigid policy of retrenchment and economy, justify itself in refusing to unite with the other branches of the government in providing these means and in thereby assuming the fearful responsibility of leaving our frontier settlers without adequate security and protection and our troops without shelter, which may result in the loss of much valuable property, in the destruction of many precious lives, in retarding for years the rapid settlement, development, and growth of our vast frontier domain, which would be certain under protection, and in adding to the already alarming amount of "Mexican and Indian depredation claims" other, and perchance still greater, demands of like character, which may eventually ripen into an allowed indebtedness, compared with which the cost of protection will be insignificant?

A due regard for our relations with Mexico also demands protection upon that frontier. By timely and efficient protection only can we expect to preserve friendly relations and a lasting peace between the two republics.

As it is a sacred duty and a solemn obligation, it should be the recognized, determined, publicly declared and exercised policy of the American Government *that the life and property of every American citizen shall be protected.*

As a duty owing to our citizens and soldiers, and on the grounds of a wise, economical, commercial, and international policy, your committee report back Senate bill 53 *without amendment and recommend* its passage.

The Secretary of War has the honor to transmit to t
the information of the Committee on Railways and Ca
May 8th and May 13th, respectively, from Hon. Gust
toe, a copy of report of the chief quartermaster Depar
26, 1878, and a report of the Quartermaster-General, de
construction of a broad-gauge railway from San Ant
in relation to House bill 4745, "to aid in the construc
Diego and Rio Grande Railroad." The views of the
curred in by this department. Attention is respectfu
Quartermaster-General, dated the 23d instant, herewi

The SPEAKER *of the House of Representatives.*

QUARTERMA
Wa

SIR: I have the honor to return herewith the commu
tee on Railways and Canals, dated May 8, 1878, requ
any information in addition to that already communica
ence to the interest of the government in having a rai
border, and as to the comparative advantages of Cam
for such a railroad, desired by the committee to consid
in the construction of the Corpus Christi, San Diego a
Corpus Christi to Laredo.

The chief quartermaster Department of Texas has m
1878, a copy of which is inclosed. I concur in the vie

Any railway from tide-water to the Rio Grande from
along this troubled border, will be an aid of import
efforts to put an end to raids and disturbances, which it
eral government to suppress, for protection to its citize
erty is the first duty of a republican government. But
in the present troubled state of peace to repay to the U
out of saving of expenses of transportation, will be lon
Mexico then railroads to the Rio Grande and extendin
be simply invaluable. The true base of operations on
San Antonio, to which place railroads are already in o
with Galveston, Saint Louis, and with the general rail

The railroad which seems to me most needed by the
cating with the Rio Grande is one from San Antonio to
ular to the frontier are preferable to those parallel to it
tion by hostile expeditions.

Very respectfully, your obedient servant,

Quartermaster-General,

To the honorable the SECRETARY OF WAR.

HEADQUARTERS ARMY
Washing

SIR: I beg to acknowledge the receipt of your letter
I certainly do believe the best interests of the United
building of a railroad from San Antonio, Tex., to Lar
cially if the citizens of Mexico will take it up, and prose
Such a railroad would ultimately connect the railroad
with that in Mexico.

Railroads are modern civilizers, and are most usefu
they enable us to use our small detachments to better
that roads radiating from San Antonio west to Fort Cl
south to Brazos Santiago and Brownsville, would great
Rio Grande frontier against the thieving raids which h
that quarter of Texas.

I prefer not to express any decided opinion as to th

vernment to aid the construction of such railroads, as that does not properly pertain my office.

I beg in this connection to inclose a copy of a letter on this very subject, which I ote some days ago to Mr. Hoxie, Palestine, Tex.

With great respect, your obedient servant,

W. T. SHERMAN, *General.*

Hon. C. M. SHELLEY, M. C., *Washington, D. C.*

WAR DEPARTMENT, QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., January 27, 1880.

SIR: I am in receipt of your letter of this date in reference to the advantages of a ilroad from San Antonio to Laredo, Tex., and in reply I beg to state that a road tween these two points, in my opinion, would be of very great advantage to the vernment. I concur with the views of General Meigs, Quartermaster-General, given his letter to the Secretary of War under date of May 22, 1878.

As to my opinion whether the advantages of this road would be sufficient to justify ngress in aiding it, I would state that I have always thought that Congress would justified in extending judicious aid to roads of national importance which run rough a country sparsely populated.

Very respectfully, your obedient servant,

STEWART VAN VLIET,
Acting Quartermaster-General, Bvt. Major-General, U. S. A.

Hon. C. M. SHELLEY,
Chairman subcommittee, House of Representatives.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 717.

IN THE SENATE OF THE UNITED STATES.

JUNE 14, 1880.—Ordered to be printed.

Mr. DAWES, from the Committee on Railroads, submitted the following

REPORT:

[To accompany S. Res. 85.]

The Committee on Railroads, to whom was referred the resolution (S. Res. 85) for the relief of the Kansas City, Fort Scott and Gulf Railroad Company, have had the same under consideration, and beg leave to submit the following report:

By chapter 241, Thirty-ninth Congress, dated July 25, 1866, a grant of lands was made to the State of Kansas for the purpose of aiding the Kansas and Neosho Valley Railroad Company to construct a railroad from the eastern terminus of the Union Pacific eastern division, at the line between Kansas and Missouri, at or near the mouth of the Kansas River, southward through the eastern tier of counties in Kansas, with a view of its extension so as to effect a junction at Red River with a railroad then being constructed from Galveston to Red River, at or near Preston, in Texas.

This grant was of every alternate section of land designated by odd numbers, to the extent of ten sections per mile on each side of the road, to be selected within twenty miles of the line of said road, with the usual provision for indemnity in case any of the lands granted should have been sold or reserved before the taking effect of the grant.

This grant was made upon the condition, among others, that said company after the construction of said road should keep it in repair, and that it should at all times be in readiness to transport troops, munitions of war, supplies, and public stores upon its road for the government, when required to do so by any department thereof, at the cost, charge, and expense of said company.

In 1868 said company commenced the construction of its road, and during the next two years completed it to the south boundary of the State of Kansas, a distance of about 160 miles. No public lands to which the grant of the company could attach were found until the road reached the line of Linn County, a distance of over 60 miles from its starting point. The last 50 miles of the road were built through the New York Indian and the Cherokee neutral lands, which were not and never had been public lands. The entire number of acres of public lands within the limits of the grant, and which could be made available to the railroad company under the granting act, did not exceed 28,000 acres. Of this about 18,000 acres had been patented to the railroad company prior to the 3d of March, 1877. On this latter date an act was passed, being chapter 125, Forty-fourth Congress, entitled "An act to secure the rights of settlers upon certain railroad lands and to *repeal the first five sections* of an act entitled 'An act granting lands to

the State of Kansas to aid in the construction of the Kansas and Neosho Valley Railroad and its extension to Red River,'" approved July 25, 1866.

This last act, in addition to repealing the five sections of the original granting act, prohibited the Secretary of the Interior from issuing any more patents to the said railroad company for the lands withdrawn under its grant, and also provided that upon the said railroad company accepting said conditions of said chapter 125, and reconveying to the United States the lands already patented to it, cancelling all uncompleted contracts for the sale of any portion of such lands, and paying into the Treasury of the United States the proceeds of the lands sold and conveyed prior to the passage of said chapter 125, that all of the lands withdrawn under said original granting act and undisposed of should be restored to market by proclamation of the President of the United States, and be open to settlement and purchase under the homestead laws of the United States.

The railroad company complied with the provisions of this last-mentioned act on the 25th of May, 1877, as shown by letter of the Secretary of the Interior, addressed to the Postmaster-General, dated July 2, 1878. Subsequently the President issued a proclamation restoring said lands to market, and opening them to settlement and purchase under the homestead laws of the United States.

It thus appears that the railroad company have relinquished to the United States Government all the benefit which they had received or were to receive by reason of the act of July 25, 1866, and that all of said act which related to said grant was repealed by the act of March 3, 1877. By this act of the railroad company the United States was placed in precisely the same position as if no grant of lands had ever been made to said railroad company prior to the passage of the act of March 3, 1877.

Said railroad company had performed transportation of military supplies to the amount of about $22,000, and also services on account of the Post-Office Department to the amount of about $3,000 prior to the passage of the act of March 3, 1877, these sums being withheld from the railroad company under the terms and conditions of the act containing the original grant of lands.

The joint resolution under consideration designs to restore the railroad company to that condition in its dealings with the general government that it would have occupied had no grant of lands been made, which will be fully accomplished by paying the sums above mentioned, amounting to something less than $25,000.

Your committee believe that in view of the fact that said railroad company received no benefit whatever on account of said grant of lands, it is equitably entitled to be paid for services rendered to the government as though no grant had been made, and therefore recommend the passage of the joint resolution with an amendment.

O

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 718.

IN THE SENATE OF THE UNITED STATES.

JUNE 15, 1880.—Ordered to be printed.

Mr. HARRIS, from the Committee on Claims, submitted the following

REPORT:

[To accompany bill S. 305.]

The Committee on Claims, to which was referred Senate bill No. 305, for the relief of Thomas B. Wallace, has carefully considered the same, and submits the following report:

In the Forty-second Congress, second session, on the 10th of April, 1872, Mr. Scott, from the Senate Committee on Claims, made the following report, to wit:

The Committee on Claims, to whom was referred Senate bill No. 569, accompanied with the petition of Thomas B. Wallace, praying compensation for his dwelling-house and its contents destroyed by order of Colonel James A. Mulligan, in command of the United States forces at the city of Lexington, Mo., on the 13th of September, 1861, have had the same under consideration, and submit the followiny report:

The city of Lexington, Mo., was attacked by the rebels, under command of General Sterling Price, on the 12th of September, 1861. Colonel James A. Mulligan was in command of the United States troops defending the city.

The dwelling of Mr. Wallace is shown to have been a first-class brick house, 50 feet in front, with the back-buildings extending 80 feet in depth, with out-buildings and improved grounds, handsomely furnished, and containing a valuable library. It stood so near the line of intrenchments that, upon the first day of the battle (12th September) the rebels filled it with sharp-shooters, and from it picked off the gunners and killed men in our lines. The rebel artillery was stationed so near it that some pieces were loaded behind it and brought out to be fired during the battle, which lasted from early in the evening until dark of the 12th.

That night they were driven from the house. Mr. Wallace, who is shown to have been an ardent Union man, immediately came within the Union lines, gave information that was of value to the commanding officer, and assisted, with his family, in collecting and caring for our wounded soldiers.

The next morning a council of officers was called, and decided that it was necessary, to prevent it from being again used for the same purpose by the enemy in an apprehended renewal of the attack, that the house should be destroyed. Colonel Mulligan gave an order to that effect, and it was immediately carried out by burning the house and its contents, no time being given for their removal.

These facts are established by the testimony of Hon. R. P. Van Horn, recently a member of the House of Representatives, who was a major in Colonel Mulligan's command during the battle, and testifies to his personal knowledge of the facts; of Lieut. Oliver P. Newley, who was in command of the party that fired and destroyed the house; of Richard Eaghan, who was in the trenches during the siege; and of John F. Tyler, a citizen of Lexington.

The loyalty of Mr. Wallace is also established by these witnesses, and he seems to have acquiesced, as a patriotic citizen, in the propriety and necessity of sacrificing his property to protect and save our troops. It is but just that he should be paid.

The house is estimated as being worth at least $7,000, and a schedule of the library and other contents of the dwelling estimates them at $4,252.

We recommend the passage of an act so amended as to give him the sum of $11,252, instead of $18,500, the amount now named in the bill.

Upon said report the bill, precisely similar to the present bill, passed the Senate, with the amendment recommended by the committee, striking out $18,500 and inserting $11,252, and so amended was sent to the House and passed by the House, and was submitted to the President for his action. The President returned the bill to the Senate, in which it originated, without his approval, with the following message, to wit:

Senate Ex. Doc. No. 86, Forty-second Congress, second session.

Message from the President of the United States, returning, without his approval, "An act for the relief of Thomas B. Wallace, of Lexington, in the State of Missouri."

JUNE 7, 1872.—Read, referred to the Committee on Claims, and ordered to be printed.

To the Senate of the United States:

I have the honor to return herewith Senate bill No. 569, an act entitled "An act for the relief of Thomas B. Wallace, of Lexington, in the State of Missouri," without my approval.

This claim, for which $11,250 are appropriated by this bill, is of the same nature and character as the claim of Dr. J. Milton Best, which was returned to the Senate on the 1st instant without my signature.

The same reasons which prompted the return of that bill for reconsideration apply in this case, which also is a claim for compensation on account of the ravages of war, and comes under the same general principle of both international and municipal law, that all property is held subject not only to be taken by the government for public uses—in which case, under the Constitution of the United States, the owner is entitled to part compensation—but also subject to be temporarily occupied or even actually destroyed in times of great public danger, and when the public safety demands it; and in the latter case governments do not admit a legal obligation on their part to compensate the owner.

The temporary occupation of, injuries to, and destruction of, property caused by actual and necessary military operations are generally considered to fall within the last-mentioned principle; and if a government makes compensation under such circumstances, it is a matter of bounty rather than of strict legal right. If it be deemed proper to make compensation for such losses, I renew my recommendation that provision be made by general legislation for all similar cases.

U. S. GRANT.

EXECUTIVE MANSION, *June 7*, 1872.

In the message of the President disapproving the bill for the relief of Dr. J. Milton Best, referred to in the foregoing message, he uses the following language in addition to that used in the foregoing message: "On the day preceding the destruction the houses had been used as a cover for rebel troops attacking the fort, and apprehending a renewal of the attack, the commanding officer ordered the destruction of the houses.

"This then is a claim for compensation on account of the ravages of war. It cannot be denied that the payment of this claim would invite the presentation of demands for very large sums of money, and such is the supposed magnitude of the claims that may be made against the government for necessary and unavoidable destruction of property by the Army that I deem it proper to return this bill for reconsideration."

He further says: "If it be deemed proper to make compensation for such losses I suggest for the consideration of Congress whether it would not be better by general legislation to provide some means for the ascertainment of the damage in all similar cases, and thus save to claimants the expense, inconvenience, and delay of attendance upon Congress, and at the same time save the government from the danger of having imposed upon it fictitious or exaggerated claims supported wholly by *ex parte* proof."

Thereupon the messages were referred to the Committee on Claims in both the cases of Wallace and Best.

In the case of Best the Committee on Claims of the Senate duly considered the objections of the Executive, and through Mr. Howe made to

the Senate a favorable report, No. 412, Forty-Second Congress, third session, recommending the passage of the bill, the objections of the President to the contrary notwithstanding. Similar action was determined upon in the Wallace case. No further action was had in that Congress.

The same bill in substance has been introduced in each Congress since, but no final action had.

Your committee has given to this claim and to the objections of the President the fullest consideration. In regard to the suggestions of the President to provide by general legislation some means for the ascertainment of the damage in all similar cases, your committee has examined the legislation by Congress since the foundation of the government and finds that although many similar cases have at different times been before Congress it has never been deemed best to attempt to make provisions by general legislation for the adjudication or settlement of such claims. Congress has uniformly reserved to itself the right to pass upon and decide each particular case upon its own merits when presented to Congress. In regard to the statement that the payment of this claim would invite the presentation of demands for very large sums of money, and that the claims that may be made against the government for necessary and unavoidable destruction of property by the Army are supposed to be of great magnitude, your committee distinctly disclaims, in the first place, that this bill provides for the payment of any property unavoidably destroyed by the Army, or that the government is liable for mere unavoidable destruction. In regard to the supposed magnitude of claims of this character and of precisely similar nature your committee has made inquiry and investigation. It is now fifteen years since such claims could have originated. Considering the claims that during this time have been presented, and those that actually exist and may not have been presented to Congress, and the occasions where such claims on the part of loyal citizens might have arisen, your committee feels safe in stating that the aggregate amount of all claims of loyal citizens of a precisely similar nature to the claim of Wallace, and for the payment of which the passage of this bill might be considered a precedent, will not exceed the sum of $300,000, and would not, therefore, be a heavy drain upon the Treasury. There are numerous precedents in Congress for the payment by special legislation of claims of precisely similar character to the claim of Wallace. After the war of 1812 claims of this character were presented to Congress, and among them the claim of Jacob Shinnick.

Jacob Shinnick was the owner of a rope-walk in Baltimore. It was destroyed by General Smith, commanding at that post. He states the circumstances attending its destruction as follows:

> The rope-walk and two others were so close to the works, had they remained, and an attack been made by the enemy, they would have afforded such a cover as would have enabled him to have approached close to the works undiscovered. It became necessary to destroy them. Nor did I give the discretionary power to General Forman until the attack of the enemy appeared certain. Their destruction was postponed as long as prudence permitted, nor were they destroyed until it became absolutely and indispensably necessary.

The committee reported "that the destruction of the rope-walks was deemed by the commanding officer prudent and necessary in the defense of the city of Baltimore, then threatened to be invaded by a merciless and vindictive enemy. They are therefore of the opinion that the public good, in his opinion, requiring their destruction, the owners of the property should be compensated to the amount of its value."

Since the war of the rebellion Congress has favorably acted and caused to be *paid by special legislation* similar claims.

In 1867 an act was passed to pay J. O. Armes for a house destroyed in Fairfax County, Virginia. That house was destroyed, as the committee reported, by military orders, and to prevent its being used by the enemy as a cover for attack, and also as a point for observation. That act was approved by President Johnson.

In 1871 Congress passed an act making compensation to the Kentucky University for buildings destroyed. The buildings were taken by military authority. They were destroyed by accident. But if the government is required to make compensation for buildings taken and then destroyed by *accident*, it is difficult to see why it should not pay for buildings taken and then destroyed by *design*. That act was approved by President Grant.

In 1870 Congress passed an act to pay Otis N. Cutler $50,000 for cotton taken by military authority to pack the machinery of the steamer Tigris, to enable her the more securely to run the rebel batteries at Vicksburg. The boat and the cotton were sunk on the trip. That cotton was taken by military authority. It was destroyed by the rebels. But if the government must pay for property taken by its army and then destroyed by the *enemy*, it would seem it ought to pay for property taken by its army and then destroyed by *itself*. That act was approved by President Grant. The papers in the case show that he examined its merits while acting as Secretary of War, and that although he refused to pay the claim for want of authority, he pronounced it "meritorious," and referred the claim to Congress.

Your committee finds this claim of Wallace to be one of exceptional character and merit. Mr. Wallace was an active, devoted Union man; loyal in feelings and actions. Col. James A. Mulligan was driven into his fortifications at Lexington, Mo, by the Confederate forces under General Price on September 12, 1861. The dwelling of Mr. Wallace stood so near the intrenchments that the Confederate forces with musketry and artillery actually used it as a shelter and protection. On the night of the 12th of September the Confederate forces withdrew to the suburbs of the town of Lexington, maintaining their forces in positions ready for the renewal of the attack. In apprehension of the impending attack the house and contents were immediately destroyed by burning in pursuance of direct orders from Colonel Mulligan. The danger was real, for the attack was renewed five or six days later, and after a three days' siege the Union forces were all captured, and the destruction of his house and contents was of great benefit in the protection of the lives of the Union forces in the fortifications. The actual cost value of the dwelling-house and contents wholly burned up was fully $11,252.

Mr. Wallace was impoverished by this necessary destruction of his property for the maintenance of the Union cause and the protection of the lives of Union soldiers, and is now a poor man.

In consideration of the premises your committee deems it an act of justice, equity, and fair dealing that the whole people of the country should bear these losses, individually and necessarily sustained by Mr. Wallace for the benefit and maintenance of the Union cause and the protection of the lives of its defenders.

Your committee therefore report back to the Senate the accompanying bill with an amendment, striking out $18,500 and inserting in lieu thereof $11,252, and as thus amended recommends the passage of this bill.

C

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 719.

IN THE SENATE OF THE UNITED STATES.

JUNE 15, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 2603.]

The Committee on Pensions, to whom was referred the bill (H. R. 2603) granting a pension to Masach Finn, have examined the same, and report:

That the facts of service and of subsequent blindness are established by the records and admitted by the Pension Bureau. His claim was rejected because his blindness was believed to have resulted from syphilis. Medical testimony of the highest character contravenes the conclusions of the Pension Bureau, and the description of the present condition of the claimant's eyes, as set forth in the report of the medical board of examiners, and more especially by the report of the medical examiner at Nashville, Tenn., in the judgment of the committee, establishes an error in the conclusions of the Pension Bureau, as syphilis could never have produced the condition of the eyes as described particularly in the reports referred to.

As the applicant was entirely free from disease of the eyes when he entered the service, was exposed to cold and wet in conducting prisoners from Owensboro to Louisville, causing inflammation of the eyes, which, from neglect or other cause, ultimately resulted in total blindness of an incurable and consequently permanent character, the committee recommend the passage of the bill.

C

TH CONGRESS, } SENATE. { REPORT
2d Session. } { No. 720.

IN THE SENATE OF THE UNITED STATES.

JUNE 15, 1880.—Ordered to be printed.

r. TELLER, from the Committee on Claims, submitted the following

REPORT:

[To accompany bill S. 1839.]

ie Committee on Claims, to whom was referred the petition of Henry P. Rolfe for payment of moneys claimed to be due him from the United States, having had the same under consideration, report as follows:

That the memorialist was commissioned United States attorney for the strict of New Hampshire December 22, 1869; and that his commission such district attorney expired on the 22d day of December, 1873; and at his successor in office was not commissioned and qualified till the d day of July, 1874; and that the duties of district attorney for said strict of New Hampshire were performed by the claimant from said 22d y of December, 1873, to the 23d day of July, 1874, without any temrary commission from the judge of the district, who is authorized to mmission a temporary United States attorney to discharge the duties the office; and for that reason the claim of the memorialist cannot be id by the Attorney-General or the Comptroller of the Treasury; in pport of which the claimant produces the following official letters, nich explain themselves:

CONCORD, N. H., *July* 28, 1874.

SIR: I am in receipt of yours of the 27th instant, in which you say as follows: "As ir term of office expired on December 22, 1873, you are requested to forward your pointment by the judge of the circuit court as acting attorney."
regret to inform you that I have never had any such appointment.
I am, very respectfully, your obedient servant,

HENRY P. ROLFE,
Late United States Attorney for the District of New Hampshire.

Hon. D. W. MAHON,
Auditor, Washington, D. C.

TREASURY DEPARTMENT,
FIRST AUDITOR'S OFFICE,
December 28, 1874.

SIR: Your letter of 22d instant is at hand, and in reply I have to say that before ir account can be audited in this office, it will be necessary for you to forward evince of your appointment as temporary attorney by the judge of the United States cuit court of said State, who, in cases of vacancy in the office of United States atney, has the power to designate some person to discharge the duties of the office til an appointment is made by the President, and the appointee qualified for the ties of his office.
Respectfully,

D. W. MAHON, *Auditor.*

HENRY P. ROLFE, Esq., *Concord, N. H.*

The memorialist alleges that after his term of service as such United ates attorney *expired, to* wit, from the 1st of April, 1874, until the

23d day of July, 1874, he acted as United States attorney for said district; that during the time he so acted as such district attorney he performed important and valuable services for the government in procuring the extradition of one William Johnson from Nova Scotia to the district of New Hampshire, upon the order of the State Department and the warrant and requisition of the President of the United States. That at the May term of the United States court for said district said Johnson was tried and convicted of passing counterfeit United States Treasury notes, and sentenced to the State prison for the term of three years, and that he is now serving out his sentence.

That immediately upon the adjournment of said term of court the memorialist addressed a note to the Secretary of the Treasury, inquiring for the source to which he should look for his pay for the services rendered, and where he should present his claim for services and expenditures in procuring the said Johnson, and that he received no reply in reasonable time; and that on the 13th day of June he addressed a similar note to the Secretary of State, and the following is a copy of the answer received from said officer:

DEPARTMENT OF STATE,
Washington, June 19, 1874.

SIR: Your letter of the 13th instant, in relation to your compensation for services rendered in procuring the extradition of William Johnson, indicted for passing counterfeit United States Treasury notes, has been received and referred to the Attorney-General for proper action thereon.

I am, sir, your obedient servant,

HAMILTON FISH.

HENRY P. ROLFE, Esq.,
United States Attorney, Concord, N. H.

That the claimant heard nothing further from the departments in relation to the matter until the 26th day of December following, when the claimant addressed a letter to the Attorney-General, making inquiries about his compensation for said services, and received the following answer:

DEPARTMENT OF JUSTICE,
Washington, January 26, 1875.

SIR: I have received your letter of the 23d instant, relative to your account for services rendered and expenses paid in the extradition of William Johnson from Nova Scotia to New Hampshire, upon the order of the State Department and warrant and requisition of the President.

Your letter of the 26th ultimo, to which you refer, was referred to the State Department, and I have been verbally informed by one of the officers of that department that the account would be paid at an early day.

I will, however, transmit a copy of your letter to the Secretary of State.

Very respectfully,

GEO. H. WILLIAMS,
Attorney-General.

H. P. ROLFE, Esq.,
Concord, N. H.

In February, 1875, the memorialist came to Washington and had repeated interviews with the Attorney-General, and was then informed by him that his account would be paid by the State and Treasury Departments and the Department of Justice, and gave the claimant assurances that the claim should be attended to immediately after the adjournment of Congress.

That another long delay occurred, and then the memorialist again addressed the Attorney-General, reminding him of his promise, and in reply received a letter from the Attorney-General, of which the following is a copy:

DEPARTMENT OF JUSTICE,
Washington, May 6, 1875.

SIR: I have received your letter in relation to your account for services and expenses in the matter of the extradition of William Johnson from Nova Scotia.

There is no appropriation under the control of this department from which your account can be paid, and, upon inquiry at the Treasury Department, I am informed that they have no appropriation applicable to such expenses; and upon referring the matter to the Secretary of State, he informed me that, after examination, the only item in the account properly chargeable to the appropriation under his control is the last, for $140, which will be paid on rendition by you of an account therefor.

I regret my inability to have this account allowed, as I believe it to be justly due, but, under the circumstances, I am unable to do so. The only thing that remains is to have the claim presented to Congress at its next session, when I have no doubt, after all the facts in the case are laid before the Committee on Appropriations, a bill will be reported to pay the claim.

Very respectfully,

GEO. H. WILLIAMS,
Attorney-General.

HENRY P. ROLFE, Esq.,
Concord, N. H.

The memorialist further shows that the $140 has been paid to him by the government, and was paid in December, 1875.

The memorialist files an itemized account, approved by the district and circuit judges of the district of New Hampshire, recommending the payment of such account. It does not appear that the question of appointment of Mr. Rolfe as United States attorney was presented to the court, but Mr. Rolfe was allowed by the court to represent the United States in said court in important matters without objection. On one of the bills is found the following indorsement:

JULY 16, 1874.

Examined and approved.

DANL. CLARK,
United States Judge.

UNITED STATES CIRCUIT COURT,
January 20, 1877.

The service charged in the foregoing bill of M. P. Rolfe, late United States attorney for New Hampshire district, was rendered by him to the United States. I should have unhesitatingly appointed him acting attorney of the United States if the fact of the expiration of his term of office had been brought to my notice. He continued to act until the appointment of his successor. His services were faithful and diligent, and I hope Congress will grant him the small compensation charged.

G. F. SHEPLEY,
United States Circuit Judge, First Judicial Circuit.

The following letter is found with the papers on file:

MANCHESTER, N. H.,
January 11, 1877.

DEAR SIR: I very well remember the matter of your account for services from April to July 23, 1874, as district attorney for New Hampshire. I think you should be paid for them, and I trust the Committee on Claims, or some other committee, will recommend an appropriation for that purpose.

Very truly yours,

DANIEL CLAKK,
United States Judge.

H. P. ROLPH, Esq.

One thousand and seventy-two dollars and forty cents of the memorialist's claim was for money paid out and expended in the capture and return of the said Johnson. Of this amount the memorialist has been allowed $140, which leaves a balance on the cash expenditure of $932.40 paid out in the early part of the year 1874. On this sum Mr. Rolfe thinks he ought to have interest. Your committee cannot but admit that it is a great hardship on Mr. Rolfe to wait upwards of six years,

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 722.

IN THE SENATE OF THE UNITED STATES.

JUNE 15, 1880.—Ordered to be printed.

Mr. BROWN, from the Committee on Pensions, submitted the following

REPORT:

[To accompany bill H. R. 591.]

The Committee on Pensions, to whom was referred the bill (H. R. 591) granting a pension to Eliza K. Ashby, have examined the same, and report:

That the facts in this case, as set forth in the report of the Committee on Invalid Pensions of the House of Representatives, herewith accompanying, are substantially correct, the only exception being that the regiment in which he enlisted was not mustered into the service of the United States until a period subsequent to the attack of illness which caused Ashby's death; this was, however, due to the absence of the enrolling officer. The committee therefore recommend the passage of the bill.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 723.

IN THE SENATE OF THE UNITED STATES.

JUNE 15, 1880.—Ordered to be printed.

Mr. PENDLETON, from the Select Committee to make Provision for taking the Tenth Census, submitted the following

REPORT:

The Select Committee to make Provision for taking the Tenth Census, to whom was referred the message of the President in relation to the removals of supervisors of the census, and the appointments to fill vacancies caused by such removals, submit the following report:

On the 31st day of May, 1880, the Senate passed the following resolution:

Resolved, That the President be, and hereby is, requested to communicate to the Senate whether any supervisor or supervisors of the census, appointed by and with the advice and consent of the Senate, have been removed from office by him or with his consent, and whether a successor to fill the vacancy caused by any such removal has been appointed by him or with his consent.

And on the 5th day of June, 1880, in pursuance thereof, the President sent to the Senate the following message:

To the Senate of the United States:

In response to a resolution of the Senate of the 31st ultimo, requesting the President "to communicate to the Senate whether any supervisor or supervisors of the census, appointed by and with the advice and consent of the Senate, have been removed from office by him or with his consent," &c., I transmit herewith a report from the Secretary of the Interior.

R. B. HAYES.

EXECUTIVE MANSION, *June* 5, 1880.

DEPARTMENT OF THE INTERIOR,
Washington, June 5, 1880.

SIR: In compliance with a resolution of the United States Senate, dated May 31, 1880, calling upon the President "to communicate to the Senate whether any supervisor or supervisors of census have been removed from office by him or with his consent, and whether a successor to fill the vacancy caused by any such removal has been appointed by him or with his consent," &c., I have the honor to inform you that said resolution was by me referred on the 3d instant to the Superintendent of the Census, whose reply is herewith inclosed.

A copy of said resolution is also inclosed.

I have the honor to be, with great respect, your obedient servant,

C. SCHURZ, *Secretary.*

The PRESIDENT.

DEPARTMENT OF THE INTERIOR, CENSUS OFFICE,
Washington, D. C., June 4, 1880.

SIR: Under instructions this day received I have the honor to report that two supervisors of census have, with the consent of the President, been removed from

office under authority of the 23d section of the act of March 3, 1879, which reads as follows:

"The Superintendent of Census, with the consent of the President, may, at any time, remove any supervisor of census and fill any vacancy thereby caused or otherwise occurring."

The names of the officers thus removed, the dates of their respective removals, and the names of the persons appointed to fill the vacancies thus occurring are as follows:

Charles W. Dana, fourth district of California, removed May 22.

J. W. Haverstick appointed same date to fill the vacancy.

W. J. P. White, first district of Pennsylvania, removed May 25, 1880.

Edward T. Steel appointed same date to fill the vacancy.

Very respectfully, your obedient servant,

FRANCIS A. WALKER,
Superintendent of Census.

Hon. C. SCHURZ, *Secretary of the Interior.*

On the 11th day of February, 1880, during the present session of Congress, Charles W. Dana was appointed, by and with the advice and consent of the Senate, supervisor of census for the fourth census district of the State of California; and on the 22d day of April, 1880, during the present session of Congress, W. J. P. White was appointed, by and with the advice and consent of the Senate, supervisor of census for the first census district of the State of Pennsylvania. Each of these gentlemen, prior to his removal, had become duly qualified to act as supervisor according to his appointment.

The removals recited in the President's message were made without the advice and consent of the Senate, and the appointments to fill the vacancies caused by such removals were also made without the like advice and consent, the Senate being in session and not in recess at the date of such removals and appointments.

Section 1767 of the Revised Statutes is in these words:

Every person holding any civil office to which he has been or hereafter may be appointed by and with the advice and consent of the Senate, and who shall have become duly qualified to act therein, shall be entitled to hold such office during the term for which he was appointed, unless sooner removed by and with the advice and consent of the Senate, or by the appointment with the like advice and consent of a successor in his place, except as hereinafter provided.

The exceptions thereinafter provided relate exclusively to supervisors during the recess of the Senate.

Section 4 of an act to provide for taking the tenth and subsequent censuses, approved March 3, 1879, provides:

The Secretary of the Interior shall, on or before the 1st day of June, 1880, designate the number, whether one or more, of supervisors of census to be appointed within each State and Territory, who shall be resident of the State or Territory. The supervisors shall be appointed by the President of the United States, by and with the advice and consent of the Senate.

Section 23 of the said last-named act provides:

The Superintendent of Census, with the consent of the President, may, at any time, remove any supervisor of census and fill any vacancy thereby caused, or otherwise occurring; and the supervisor of census may, with the consent of the Superintendent of Census, remove any enumerator in his district, and fill the vacancy thereby caused or otherwise occurring.

The committee believes that these are all the provisions of law which touch the appointment and removal of supervisors of census during the session of the Senate. An examination of the debate in either house during the consideration and on the passage of the law, as reported in the Record, fails to throw light on the interpretation of section 23 as above quoted.

The law in regard to the tenure of office of all appointments requiring the advice and consent of the Senate is very explicit. The appointee being duly qualified, shall hold the office for the term for which he was

appointed, unless sooner removed by and with the advice and consent of the Senate, or by the appointment, by and with the like advice and consent, of a successor in his place. This law applies by its terms to supervisors of census equally with other officers of a like class. The constitutionality of this act is gravely doubted by some of the highest authorities in the country, but the committee does not feel it necessary, in the consideration of the question here involved to express an opinion.

The fourth section of the census act provides explicitly that supervisors shall be appointed by the President by and with the advice and consent of the Senate.

In order to give to section 23 of the census act the enlarged effect claimed for it, it is necessary to believe that Congress intended not only to repeal, as to supervisors, the general law applicable to all officers of the same class, but to enact that whereas the original appointment must be made by and with the advice and consent of the Senate, yet if the supervisor should die or resign, the Superintendent may appoint his successor, while the Senate is still sitting, without its advice or consent; nay more, that immediately after the appointment of the supervisors by the President, with the concurrence of the Senate, the Superintendent of the Census, the subordinate of the President and of the Secretary of the Interior, may, with the consent of the President, remove every one of the hundred and fifty supervisors and appoint his successor without the consent of the Senate, though it be still in session.

The office of supervisor is of short duration. The duties must be performed rapidly and vigorously. The enumeration and returns and copies must be pushed constantly. An inefficient, or idle, or corrupt officer must be replaced instantly by a more active or honest one.

The necessity for vigorous, quick action justified and required that large powers should be confided to the Superintendent during the recess of the Senate, but did not either require or justify such enlarged powers when the Senate is sitting in the Capitol, whence the appointment, the commission, and the instructions to the new officer must issue, and might be consulted without any delay.

In seeking to harmonize and give effect to every provision of the law, your committee feels a hesitation in reaching the conclusion that the true interpretation of section 23 of the act of March 3, 1879, requires that the powers of removal and appointment of supervisors confided by that section to the Superintendent of Census, should be exercised only during the recess of the Senate. Inasmuch, however, as the work of the supervisors of the census is nearly completed, and the committee has no desire to reflect on the motives of the public officers who have erroneously exercised these powers, the committee contents itself with reporting these facts, and its conclusion as to the law, to the Senate, and asking to be discharged from the further consideration of the subject.

46TH CONGRESS, 2d Session. } SENATE. { REPORT No. 725.

IN THE SENATE OF THE UNITED STATES.

JUNE 15, 1880.—Ordered to be printed.

Mr. HAMPTON, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany bill H. R. 6033.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 6033) have carefully examined the same, and submit the following report:

This bill proposes to pay to Hiram Johnson and others, therein named, the various sums of money set opposite their names respectively, aggregating $22,271.26, being the surplus of a military assessment paid by them respectively, and accounted for to the United States in excess of the amounts required for the indemnity for which it was levied and collected.

This bill passed the House of Representatives on the 17th day of May, 1880, and was referred to your committee. General Bragg, chairman of the Committee on War-Claims in the House, made the following report, to wit:

Mr. BRAGG, from the Committee on War-Claims, submitted the following report, to accompany bill H. R. 6033.

The Committee on War-Claims, to whom was referred the petition of Hiram Johnson and others for relief, submit the following report:

The facts out of which this claim for relief arises will be found stated in House report of the Committee on Military Affairs, No. 184, second session Forty-fourth Congress, and in reports from the Secretary of War, with correspondence attached, on file with the papers in the case, and are in substance as follows:

On the 25th day of November, 1862, a party of rebels made a raid upon a small force of Union troops stationed at Henderson, in the State of Tennessee, on the Mobile and Ohio Railroad. The raiding party captured the Union troops, with their arms and camp equipage, burned a quantity of cotton belonging to the United States and to private individuals, and also destroyed the depot buildings and water-tank belonging to the railway corporation.

Thereupon, on the 2d day of December following, the commandant of the Union forces at the post of Bethel, Tennessee (Col. J. N. Haynie, Fortieth Regiment Illinois Volunteers), appointed a board of officers to investigate the losses sustained and appraise the damages suffered from the raid, with a view to an assessment, by way of reprisal, upon rebel sympathizers in and about Henderson.

The board so appointed assessed the value of the property captured and destroyed as follows:

Cotton burned belonging to the United States	$1,900 00
Arms and camp equipage belonging to the United States	3,180 00
Total belonging to the United States	5,080 00
Cotton belonging to private persons	18,171 36
Railway property	3,500 00
Grand total	26,751 36

Upon this report being made, Colonel Haynie ordered an assessment of this amount to be levied upon the rebel sympathizers in and about Henderson, which action was approved at the headquarters of the district of Jackson, in the Department of Tennessee, Brigadier-General Sullivan commanding, on the 12th day of December, 1862; and an order bearing date on that day was issued from said last-named headquarters directing the collection of the tax.

Colonel Haynie proceeded in the execution of the order, and collected of the said assessment the sum of $23,325.16, leaving a deficit of $3,426.20 not collected, by reason of the absence of the persons against whom the same was assessed. And thereafter, but at what precise date does not appear, Col. W. W. Sanford, Forty-eighth Illinois Volunteer Infantry, commanding post at Bethel, made an additional and supplemental assessment for $4,326.20, to make up such deficit; and of this amount there was collected $4,026.20, making the total amount collected to repair losses and damages sustained by said raid $27,351.36; all of which sum was paid by the persons now asking relief by this petition.

The right of the military commandant, in time of war, to order and enforce assessments upon hostile communities by way of reprisal, and to prevent the giving information and encouragement to enemies outside his lines by enemy sympathizers within his lines, is well settled and affirmed by all writers upon the laws of war, and is a most salutary check upon predatory incursions, by making the friends of those who commit the damage bear the brunt of the injury suffered.

At the time of the appraisal of the damages and of the levying and collecting these assessments it was supposed to be under and in execution of an order of General Grant, then commanding the troops in that department. But it appears from the papers filed that General Grant disavowed the construction put upon his general orders by the local officers, and declared the purpose and intent of his general order to be that reprisal should be made by way of levy and assessment in case of raids within our lines like the one at Henderson only to repay such losses as the government might sustain in its property thereby, and he refused to recognize the right of private claimants to reimbursement by such levy and assessment; and on the 23d day of January, 1863, ordered the proceeds of such assessment and collection to be turned over to the Provost-Marshal-General. And it appears by the papers filed that his action in denying the right of private claimants to reimbursement for losses sustained by the raid out of this fund was approved by the Secretary of War, on the report made thereon by General M. C. Meigs; which report maintains the law to be that the power existed to levy and collect an assessment to pay private losses in the discretion of the general commanding; but as against such general's construction of his own order and purpose, no right whatever could accrue to a private claimant for reimbursement.

The logical sequence from these facts, and this declaration and construction by General Grant of his orders, seems to be, that the subordinates, in the execution of the orders of the commanding general, should have made an assessment only for the losses sustained by the government, viz:

For cotton burned belonging to the United States	$1,900
Arms and camp equipage belonging to the United States	3,180
	5,080

Had the government rebuilt or repaired the injury to the railway property, as an essential for their use of it, that also should be included as a proper item for assessment; but the evidence shows that the railway company repaired their injuries at their own expense.

Deducting this amount, for which the assessment was authorized, from the total amount collected, there remains a balance of $22,271.26 taken from the petitioners under a misconstruction of the order of the commanding general, as certified to by his own action and the evidence of an officer of his staff.

This committee have maintained, and still adhere to the doctrine, that no nation is liable for the willful torts of its soldiery.

But was this assessment a tort, within the meaning of such well-established doctrine? It is submitted that this wrong is clearly without the rule, because this assessment was collected by an officer of high rank, commanding a military district, in the execution of an office giving him colorable authority, to say the least, to do the act he did; and that act was ratified by the general commanding, impliedly at least, by not ordering restitution where the excessive assessment came to his knowledge.

But if the reasoning on this point may be deemed questionable, there is upon the facts another and complete answer to the application of this principle. The proof shows to an absolute certainty that of the money so collected $23,325.16 was applied by the United States to its use, knowing the source from whence it was derived, and the remainder of the sum, $4,026, by all reasonable presumption, was likewise applied to the use of the government. And the committee is so constrained to hold, as a con-

y conclusion would compel us to impeach the integrity of a gallant officer, who before Vicksburg without a stain upon his citizen or soldier life.

he law of the case, then, may be stated to be, that if the officers, agents of the ernment, committed a tort originally, it was approved by the principal, the gov- ment, when it knowingly accepted the benefits of the tortious act. And no pro- lings by way of confiscation or condemnation have ever been had to divest the sons so assessed of their right in the surplus fund.

ence your committee are constrained to hold that the claims of the petitioners to amount collected of them ($22,271.26) in excess of the requirements of General nt is valid, and that the government ought in right to refund the same, and re- t herewith a bill redistributing the same to the persons who paid the same ratably, roportion to the sums originally paid by each of them respectively, and recom- id its passage.

O